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## Whistleblowing Policy

This Policy applies to suspected wrongdoing by individuals working or volunteering for Parenting Special Children (PSC). Complaints from service users or other stakeholders should instead refer to the Parenting Special Children Complaints and Feedback Policy.

### Principles

It is important that any fraud, misconduct or wrongdoing by individuals working or volunteering for PSC is reported and properly dealt with. We therefore require all such individuals to raise any concerns that they may have about the conduct of others in the charity or the way in which the organisation is run. No such individual will be victimised for raising a matter under this procedure. This policy sets out the way in which individuals may raise any concerns that they have and how those concerns will be dealt with.

Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. Individuals working or volunteering on behalf of PSC 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 — as per the process laid out below — and the outcome of the investigation reported back to the person who raised the issue.

No individual working or volunteering on behalf of the charity 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 employees, or the continued volunteering opportunity for volunteers, 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, the PSC 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 Chief Executive; the Chair of the board of trustees or any Trustee.

## Background and definitions

The Public Interest Disclosure Act 1998 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'.

To clarify what is meant by 'public interest' and therefore constitutes *whistle blowing* versus what constitutes a *complaint*:

**Whistleblowing** only applies if the matter affects the general public and so is considered to be in the public interest; the individual whistleblower is not usually directly affected by the malpractice or illegality.

**A complaint** is usually about some aspect of the worker's work circumstances that s/he is unhappy about and has no bearing on public interest. In such cases the grievance or disciplinary procedures should be followed.

The protection offered by Public Interest Disclosure Act 1998 (PIDA) is available to all workers who work in the United Kingdom. The usual definition of worker has been expanded by PIDA and covers staff:

- Employed on a permanent or fixed term contract of employment;
- On secondment;
- On a temporary contract or employed through an agency to work for the organisation;
- An independent consultant;
- In training, work experience or apprentice;
- A volunteer; and
- Contractors and suppliers of services.

A **qualifying disclosure** is one made by a worker who has a reasonable belief that any of the following is being, has been or is likely to be, committed:

- 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 including Safeguarding, Confidentiality and Data Protection.
- Financial mismanagement on behalf of the Charity.
- Concealment of any of the above.

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 – it is the charity's responsibility to ensure that an investigation takes place.

If you make a qualifying 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.

## Procedure

This procedure is for disclosures about matters other than a breach of your own contract of employment, which should be raised via the PSC Grievance Procedure.

### Stage 1

In the first instance, any concerns should be raised with the Chief Executive – Ruth Pearse (contact [ruth@parentingspecialchildren.co.uk](mailto:ruth@parentingspecialchildren.co.uk) – office phone number **0118 9863532** or mobile **07876 275731**) 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 chief executive will take any necessary action, including reporting the matter to the chair of the board of trustees and any appropriate government department or regulatory agency. The chief executive will also invoke any disciplinary action required. On conclusion of any investigation, you will be told the outcome and what the charity has done, or proposes 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 chief executive 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 the Board of Trustees - Ellie King (contact [ellie.king@parentingspecialchildren.co.uk](mailto:ellie.king@parentingspecialchildren.co.uk) – tel: **07902 925856**). 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.

### Stage 3

If on conclusion of stages 1 and 2 you reasonably believe that the appropriate action has not been taken, [yousarah@parentingspecialchildren.co.uk](mailto:yousarah@parentingspecialchildren.co.uk) should report the matter to the relevant body. This includes:

- HM Revenue & Customs
- the Health and Safety Executive
- the Environment Agency
- the Serious Fraud Office
- the Charity Commission
- the Pensions Regulator
- the Information Commissioner
- the Financial Conduct Authority.

You can find the full list with contact details in The Public Interest Disclosure (Prescribed Persons) (Amendment) (No 2) Order 2015:

[www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/496899/BIS-16-79-blowing-the-whistle-to-a-prescribed-person.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/496899/BIS-16-79-blowing-the-whistle-to-a-prescribed-person.pdf)

## **Associated PSC documents and policies**

This policy is to be read in conjunction with the following PSC policies:

- Complaints and Feedback Policy
- Disciplinary Policy and Procedure
- Grievance Policy and Procedure

## **Resources used to draw up this policy**

This policy was drawn up with reference to the NCVO Whistle Blowing Policy, as supplied to PSC by Reading Voluntary Action.

## **Review of this policy**

This policy will be reviewed by the PSC board of trustees every two years.

This policy was adopted by the trustees in March 2017 and reviewed in April 2019

Review date: April 2021