

## Whistleblowing Policy

<b>Date approved by Connected Together Community Interest Company (CTCIC) Board</b>	15 August 2018
<b>Responsible Person</b>	Mary Clarke
<b>Next revision due</b>	August 2020
<b>Staff/volunteer training delivered</b>	Included in Staff Induction and Volunteer Handbook
This policy covers Connected Together CIC and <i>all</i> its contracts and managed organisations, for example Healthwatch Northamptonshire (HWN) and Healthwatch Rutland (HWR).	

This document does not form part of your contract of employment/volunteering and may be changed from time to time in line with current best practice and statutory requirements. Staff and volunteers will be notified of updates.

## **Whistleblowing Policy**

Whistleblowing is a disclosure of information by individuals that relates to danger, fraud, illegal or unethical conduct of the employer, an employee, board member or volunteer. It need not be a matter of financial governance. For a disclosure to be protected it must be a qualifying disclosure.

### **Qualifying Disclosure**

A qualifying disclosure is a disclosure that is made in good faith as the honest belief of this individual making the disclosure and will tend to show that one or more of the following has occurred:

- A criminal offence has been committed, is being committed or likely to be committed
- A person has failed, is failing or likely to fail to comply with a legal obligation that they are subject to
- A miscarriage of justice has occurred, is occurring or is likely to occur
- The health and safety of any individual has been, is being or likely to be endangered,
- The environment has been, is being or likely to be damaged, or
- The information would tend to show that the matter in any preceding paragraph has been, is being or likely to be deliberately concealed

### **Making a disclosure**

Individuals wishing to make a disclosure are encouraged to do so internally in the first instance (i.e. to the Chief Executive Officer (CEO) or independent member of the CTCIC board) before involving an external agency. Where an individual feels unable to make an internal disclosure they must follow the external disclosure procedure outlined within this policy and procedure.

### **Investigating a disclosure:**

- All disclosures made under this policy and procedure will be thoroughly investigated and appropriate action will be taken
- All disclosures will be handled in a sensitive and confidential manner. Where reasonably practicable the identity of the individual making the disclosure will be kept confidential unless to do so would hinder or frustrate the investigation
- Individuals making a disclosure should be aware that the investigation may reveal the source of the disclosure and that they may be required to provide a statement as part of the investigation process
- Where a disclosure reveals evidence of criminal activity CTCIC reserves the right to report to the police as appropriate

### **Internal disclosure:**

- Individuals make an internal disclosure ideally to the CEO or Chair of CTCIC

- Following receipt of a disclosure the Independent Director of the CIC board will be appointed or will appoint a manager/director/independent other to investigate the disclosure, as the Investigator/Investigating Manager.
- Board members, employees and volunteers are expected to fully cooperate with investigations undertaken within this procedure, and requests to attend investigation meetings should be considered a reasonable management instruction
- Due to the nature of investigations it is often necessary to hold such meetings at short notice i.e. notice of a meeting may be given on the same day as the meeting. This may be necessary, for example, to protect others or preserve evidence
- The Investigator will determine the nature and type of investigation required which may include reviewing documents, emails or interviewing employees, board members or volunteers whom allegations have been made against or interviewing potential witnesses, for example. The nature of any further investigation, including the determination of relevance of evidence and selection of witnesses, is entirely at the discretion of the Investigating Manager
- If during the investigation, evidence is uncovered which indicates gross misconduct, CTCIC reserves the right to suspend the board member, employee or volunteer concerned
- Following the conclusion of an investigation the Investigating Manager will prepare an investigation report and must make one of the following recommendations:
  - the disclosure is not substantiated and therefore no further action will be taken where the disclosure was made in good faith
  - the disclosure is substantiated and appropriate action will be taken

### **External Disclosure**

External disclosures may be made when the director, board member, employee or volunteer feels unable to follow the internal disclosure procedure for one or more of the following reasons:

- They remain dissatisfied following the outcome of an internal investigation into a disclosure
- They have reasonable belief CTCIC will disregard or conceal a disclosure, or
- They have reasonable belief they would be treated unfairly or victimised if they made a disclosure
- Where a director, board member, employee or volunteer wishes to make an external disclosure they should do so only to a prescribed person or body. As a guiding principle prescribed persons/bodies are typically Ministers of the Crown or Regulatory Bodies, however a full list of prescribed persons/bodies is available at [www.gov.uk/whistleblowing](http://www.gov.uk/whistleblowing)

### **Action after substantiated disclosures**

- Where, after a thorough investigation, a disclosure is substantiated then CTCIC will address the issue in accordance with relevant policies

- If a disclosure made in good faith is found to have no substance following a thorough investigation, no disciplinary action will be taken against the individual making the disclosure
- Any director, board member, employee or volunteer found to be victimising someone who has made a disclosure may be subject to action under CTCIC's Disciplinary Policy
- CTCIC may consider further action if an individual makes a disclosure that is within any of the following circumstances;
  - shown to be malicious, vexatious and/or frivolous,
  - the allegations are clearly untrue, and/or the individual making the disclosure acted for personal gain