

WHISTLEBLOWING POLICY AND PROCEDURE

Introduction

Whistleblowing is the term used when a worker or volunteer passes on information concerning wrongdoing within their organisation. The wrongdoing will typically (although not necessarily) be something they have witnessed.

Whistleblowing law is located in the Employment Rights Act 1996 (as amended by the Public Interest Disclosure Act 1998). It provides the right for a worker to take a case to an employment tribunal if they have been victimised at work or they have lost their job because they have 'blown the whistle'. Huntingdon Area Money Advice (HAMA) will apply the protections of this policy to anyone connected with the organisation, not just employees.

To be covered by whistleblowing law, a worker (or volunteer) who makes a disclosure must reasonably believe two things.

1. That they are acting in the public interest. This means in particular that personal grievances and personal complaints are not usually covered by whistleblowing law.
2. That they reasonably believe that the disclosure tends to show past, present or likely future wrongdoing falling into one or more of the following categories:
 - criminal offences (this may include types of financial impropriety such as fraud, as well as any form of abuse of children or adults with care and support needs).
 - failure to comply with an obligation set out in law.
 - miscarriages of justice.
 - endangering of someone's health and safety.
 - damage to the environment.
 - covering up wrongdoing in the above categories.

Concerns about abuse of power / spiritual abuse will also be covered by this policy.

HAMA is committed to:

- ensuring that this policy is made known throughout the organisation.
- treating all disclosures consistently and fairly.
- taking all reasonable steps to maintain the confidentiality of the whistleblower where it is requested (unless required by law to break that confidentiality).
- ensuring that, appropriate feedback is given to the whistleblower.
- allowing feedback to be given anonymously if necessary (although action taken and feedback given could be limited).
- ensuring that a whistleblower will not be subjected to victimisation by any person in the organisation as a result of their disclosure.

Everyone connected with HAMA is encouraged to bring matters of unacceptable practice, performance, behaviour, and issues to do with the safeguarding of children and vulnerable adults, to the attention of the appropriate person.

Issues to do with Safeguarding will be handled as outlined in the Safeguarding Policy. Grievances and Complaints will be handled as outlined in their respective policies. Those who raise such issues in good faith will be afforded the protection of this policy.

Ideally concerns will be disclosed to the Centre Manager or to one of the Trustees. However, in certain circumstances it may be appropriate to disclose directly to the Charity Commission, the Police, FCA, CMA, ICO or Action Fraud. In such cases the whistleblower will still receive the protections of this policy – see <https://www.gov.uk/guidance/report-serious-wrongdoing-at-a-charity-as-a-worker-or-volunteer>

How do I blow the whistle?

If you feel that something is wrong, you should express that concern. To do so is not being disloyal, and you will not experience harassment or victimisation. Do not worry that you might start a chain of events which could spiral out of control or disrupt the work or project. Do not fear that by whistleblowing you may have got it wrong or not be believed or there may be repercussions or damage to your reputation.

Reasons why you should blow the whistle: -

- To prevent the problem worsening or widening.
- To protect or reduce risks to others.
- To prevent becoming implicated oneself.
- To prevent a child or vulnerable adult continuing to be at unnecessary risk.

1. To raise a concern you should inform the Centre Manager or any Trustee. If the issue relates to Safeguarding, contact one of the Designated Persons for Safeguarding.

2. Your concern or uneasiness about a practice or behaviour of an individual should be raised as soon as possible. Please be specific about what is of concern, what has been heard or observed, and keep to the facts as much as possible by avoiding rumour or opinion. Ideally put your concerns in writing, outlining the background and history, and providing dates and times.

3. You are encouraged to tell us your name and, wherever possible, this will be kept confidential. An anonymous concern will be considered at the discretion of the Trustees, by taking account of its seriousness, its credibility, and the likelihood of confirming it from attributable sources.

What will happen next:

- The concern will be dealt with according to the relevant policy (e.g. Safeguarding, Complaints) depending on the nature of the concern.
- As a whistleblower, you will not be expected to prove the truth of a concern or investigate it.
- Within the bounds of confidentiality, you will be given appropriate information on the nature and progress of any enquiries.
- The Trustees will do everything they can to ensure that you are not harassed or victimised.
- No action will be taken against you if the concern proves to be unfounded and was raised in good faith. However, where malicious allegations are made, they will be considered very seriously and may result in disciplinary action.

Approved by the HAMA Board of Trustees: 10/12/2021