



Whistleblowing

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Whistleblowing

Introduction:

The John Graham Centre is committed to maintaining standards of openness and accountability in all of its undertakings. JGC believes that all JGC employees should have the confidence to raise any concerns that they may have without the fear of reprisal.

The law allows staff to make a 'protected disclosure' of certain information. In order to be 'protected', a disclosure must relate to a specific subject matter (listed below) and the disclosure must also be made in an appropriate way.

If a member of JGC staff becomes aware of information which they reasonably believe tends to show one or more of the following, then they must use the disclosure procedure:

- That a criminal offence has been committed is being committed or is likely to be committed.
- That a person has failed is failing or is likely to comply with any legal obligation to which they are subject to.
- That a miscarriage of justice has occurred, is occurring, or is likely to occur.
- That the health and safety of any individual has been, is being, or is likely to be endangered.
- That the environment, has been, is being, or is likely to be damaged.
- That information tending to show any of the above is being or is likely to be deliberately concealed.

(This list is not exhaustive)

This policy aims to ensure that any individual:

- Can feel confident in regards to raising concerns.
- Is provided with clear guidance and means of raising concerns.
- Receives a response regarding their concerns, receives feedback on action taken and is advised on how to take matters further if they are not satisfied with the outcome.
- Reassured that they will be protected from reprisal or victimisation.
- Is aware that any deliberately false or malicious reporting will be addressed in accordance with JGC's disciplinary policy.

Confidentiality:

Wherever possible disclosures will be treated in confidence and individual's identities protected. However, it is possible that anonymity cannot be maintained if the person who has disclosed the information is required to act as a witness or validate statements made in disclosures.

Anonymous Allegations:

Anonymous allegations will be taken seriously but such reports can pose limitations and are less powerful than reports named by individuals.

JGC will give consideration to:

- The seriousness of the issue raised.
- The likely credibility of the claim/ concern.

- The likelihood of being able to establish the truth of such a claim/ concern.

False Allegations:

Disciplinary action will only be taken against individuals who knowingly make false or malicious allegations.

Disclosure procedure:

The whistleblowing procedure is to be used by staff if they become aware of or witness situations or conduct that makes them feel uncomfortable or concerned causing them to feel that there is no other means to raise such matters.

Step 1 – Report

A serious concern should be raised in writing and include sufficient detail such as names, dates and locations where possible. Staff should give a clear reason as to why they are concerned about the situation and why they have chosen to use whistle-blowing instead of using other means of raising a concern.

Staff are encouraged to include their name in the written report. If staff request to remain anonymous, then every effort will be made to maintain confidentiality. However, depending on the nature of the concern raised, it may be unavoidable for staff to remain anonymous especially if for any reason they are called as a witness.

Step 2 – Disclosure

Staff should then submit their report to a senior or management. It would not be appropriate for the report to be given to either of these people if they are implicated in the concerns raised.

If staff feel unable to approach either of these people, then concerns must then be submitted to the Director Chris Cook. If the Director is implicated in the concerns raised, then staff can then raise the matter with the local authority.

Step 3- JGC response

Staff will receive an acknowledgement in writing within 7 days that their concern has been received. The letter should outline how JGC proposes to deal with the matter with an estimate of how long it will take to deal with. It should also inform the staff member of any initial enquires that may have already been made.

The action that JGC takes will depend on the nature of the concern; initially an internal investigation will take place. Preliminary findings may dictate that the matter is referred to:

- The police
- Social services
- Health & Safety executive (HSE)
- Other external agencies.

As part of the investigation process, interviews will be conducted and witness statements taken from any parties involved.

In order to ensure credibility, all statements will be signed.

The investigator will compile a report and submit this together with their findings to the Management or if appropriate the Director.

Step 4

Management or The Director will decide what, if any, actions are required. Further action may take the form of:

- Disciplinary action
- Policy and/ or practice changes
- Referral to the police or other appropriate agencies.

In each case the person who raised the concern will be notified in writing of the outcome. If the person who raised the concern remains unsatisfied then they can appeal against the decision in writing to the Director or if the Director is implicated, then they can contact the local authority.

Conclusion:

Members of the public are protected under the Public Interest Disclosure Act 1998.

As an employee, any staff raising a genuine concern have a legal entitlement to not be subjected to any detriment as a result of raising a concern using this policy and these procedures.

Any dismissal or disciplinary action against a JGC staff member as a consequence of them making a concern known will automatically be considered 'unfair'.

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