PAST WAYS

WHISTLE BLOWING

POLICY

2023 – 2024

SIGNED \_\_M Barratt DATE 21.07.2023

Chairperson

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Introduction

It is often the case that employees are the first to detect potential issues with a project. However, they may hesitate to voice their concerns for fear of appearing disloyal to their colleagues. Additionally, they may be apprehensive about the potential for harassment or victimisation resulting from such expressions of concern. In such circumstances, it may be simpler to ignore the issue rather than report it, especially if it is merely a suspicion of malpractice or other wrongdoing in the workplace.

The Project’s Board of Directors are committed to the highest possible standards of openness, integrity, and accountability. In line with this commitment, we encourage employees and others with genuine concerns to come forward and voice those concerns. This policy document clarifies that employees can do so without fear of reprisals. The whistleblowing policy is intended to encourage and enable employees to raise concerns within the project rather than overlook a problem. This procedure accords with the requirements of the Public Interest Disclosure Act 1998 and is compatible with the conventions contained in the Human Rights Act. The method allows project employees to raise concerns about project management.

***1. Aims and Scope of this Policy***

1.1 This policy aims to:

• Provide avenues for you to raise genuine concerns and receive feedback on any action taken

• Allow you to take the matter further if you are dissatisfied with the governing body's response

• Reassure you that steps will be taken to protect you from reprisals or victimisation for whistleblowing in good faith

1.2 There are existing procedures in place to enable you to lodge a grievance relating to your employment. This whistleblowing policy is intended to cover genuine concerns that fall outside the scope of other procedures.

1.3 If your concern is about your personal position or how you have been treated, please raise it through the Grievance Procedure.

1.4 Where a concern is raised about an individual or individuals, once the matter has been investigated under the Whistleblowing Policy, there may be a need for further investigation or action. This would take place within the framework of a different policy. Where this is the case, you will be notified that the inquiry under the Whistleblowing Policy has ended.

1.5 That concern may be about something that:

• Is unlawful; or including.

• Concerns about financial malpractice

• Causing a danger to children and young people

• Causing a danger to staff, the public or the environment

• Falls below established standards of practice; or

• Amounts to improper conduct; or

• Contradicts the project's Code of Conduct.

• Deliberate concealment of any of the above

1.6 As an employee of the project, the project's code of conduct requires you to report genuine concerns of fraud, theft, unethical behaviour, etc.

This policy provides you with ways of doing that. If you are concerned that a young person is at risk of harm, the guidance in the DfE’s “Keeping Children Safe in Education: Statutory Guidance for Schools and Colleges (May 2018). If, however, you are concerned that an individual’s professional practice, the leadership and management of the school, or the school’s policies, procedures and ways of working may be undermining the safety and well-being of young people or leaving them vulnerable to risk, or you are worried about how safeguarding allegations have been managed, you should express these concerns through the Whistleblowing Policy.

The procedure will be communicated to all staff and volunteers.

***2. Safeguards***

2.1 Harassment or Victimisation - P.A.S.TWays Board recognise that the decision to report a concern can be difficult, not least because of the fear of reprisal. The Board will not tolerate harassment or victimisation and will take action to protect you when you raise a concern in good faith.

2.2 Confidentiality – The Board will do their best to protect your identity when you raise a concern. However, it must be appreciated that, in the interests of natural justice, any investigation process is likely to reveal the source of the information, and a statement by you is expected to be required as part of the evidence.

2.3 Support - In any meetings connected to your whistleblowing concern, you have the right to be accompanied by your trade union representative or a work colleague (providing they are not involved in the issue and would not be called as a witness). These meetings might include:

• A meeting with your line manager or other appropriate person to raise your concerns.

• A meeting with an investigation officer in connection with the concern.

• Taking part as a witness in any action taken due to raising the concern.

2.4 Anonymous Allegations - You are strongly encouraged to put your name on any allegation. Concerns expressed anonymously are much less powerful, but they may be considered at the discretion of the Board.

2.5 Discretion In exercising discretion, the following factors will be considered when considering how to deal with any allegations:

• The seriousness of the issues raised

• The credibility of the allegation; and

• The likelihood of confirming the allegation from attributable sources.

2.6 Malicious or Vexatious Allegations - If you make an allegation in good faith, but the investigation does not confirm it, no action will be taken against you. If you make malicious or vexatious allegations, disciplinary action may be brought against you following the project's Disciplinary Procedure.

2.7 Independent Advice - If you are unsure whether to use this policy or if you want independent advice at any stage, you should contact:

• Your trade union

• The independent charity Public Concern at Work, whose lawyers are available, gives you free, confidential advice at any point.

Their helpline is 020 7404 6609—or email helpline@pcaw.co.uk. For further information, go to the Public Concern at Work website, which includes whistleblowing legislation guidance.

***3. How to Raise a Concern***

3.1 As a first step, you should usually raise concerns with the Manager. This depends, however, on the seriousness and sensitivity of the issues involved and who you think may be interested in the malpractice. For example, if you believe the manager is concerned, you should approach the Board.

3.2 Concerns are better raised in writing. You are invited to set out the background and history of your concern, giving names, dates, and places, where possible, and why you are particularly concerned about the situation. If you cannot write your concern, you can telephone or arrange to meet the appropriate officer. If you are a trade union member, you may find it helpful to take advice from them about putting your concerns in writing.

3.3 For concerns other than fraud, theft, or corruption, you may choose to telephone the Ofsted Whistleblower hotline at 0300 123 3155 (Monday to Friday from 8.00 am to 6.00 pm).

3.4 You may ask your trade union representative to raise the matter.

3.5 The earlier you express your concern, the more accessible it is for the project’s Board to act.

3.6 Although you are not expected to prove the truth of an allegation, you must demonstrate to the person contacted that there are sufficient grounds for initial enquiries.

 ***4. How the Project’s Board Will Respond***

4.1 The action taken by the Board will depend on the nature of the concern. The matters raised may:

• Be investigated internally

• Be referred to the Police

• Be referred to an external Auditor

• Form the subject of an independent enquiry

4.2 To protect individuals, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Concerns or allegations that fall within the scope of specific procedures (for example, child protection or discrimination issues) will usually be considered under those procedures.

4.3 Some concerns may be resolved without the need for an investigation.

4.4 Within ten working days of receiving a concern, the Board will write to you, acknowledging that the problem has been obtained.

• Indicating how it proposes to deal with the matter

• Giving an estimate of how long it will take to deal with the matter

• Telling you whether any initial enquiries have been made.

• Telling you whether further investigations will take place, and if not, why not.

4.5 The amount of contact between the Board and you will depend on the nature of the matters raised, the potential difficulties involved, and the clarity of the information provided. If necessary, further details will be sought from you.

4.6 When any meeting is arranged to discuss your concerns, you have the right, if you so wish, to be accompanied by a trade union representative or a friend who is not involved in the area of work to which the concern relates and who also who could not be called as a witness.

4.7 The Board will take steps to minimise any difficulties you may experience due to raising a concern. For instance, if you are required to give evidence in criminal or disciplinary proceedings, the Board will advise you about the procedure.

4.8 The Board accepts that you must be assured that the matter has been appropriately addressed. Thus, subject to legal constraints, you will receive information about the outcome of any investigations. Any person who is the subject of an allegation should be given details of the allegation at the appropriate times to respond. They will have the right to trade union representation.

***5. How the Matter can be Taken Further***

5.1 This policy is intended to provide you with an avenue to raise concerns with the Projects Board. The Board hope you will be satisfied.

If you are not and you feel it is right to take the matter outside the project, the following are contact points:

• Your local Council member (if you live around the Council)

• An external Auditor

• Relevant professional bodies or regulatory organisations

• Your solicitor

• The Police

• Other bodies prescribed under the Public Interest Disclosure Act, e.g.: - The Audit Commission for England and Wales - Data Protection Registrar - Serious Fraud Office - Environment Agency - Health and Safety Executive - Public Concern at Work - The Ofsted Whistleblower Hotline Please see Appendix 2 for contact information. If you take the matter outside the project's board of directors, you must ensure that you do not disclose confidential information or that disclosure would be privileged.