

Whistle-blowing Policy

Introduction

Doorstep Library is committed to the highest standards of openness, probity and accountability.

An important aspect of accountability and transparency is a mechanism to enable staff, trustees and volunteers to voice concerns in a responsible and effective manner.

If you have a reasonable belief that there has been serious wrongdoing or malpractice within Doorstep Library this policy will enable you to raise your concerns through the appropriate channels and be supported in doing so. Doorstep Library is committed to maintaining high ethical standards and takes all concerns seriously.

This policy is not an alternative to the disciplinary, grievance and anti-bullying and harassment policies. If you have a complaint relating to your personal circumstances in the workplace you should refer to the relevant policy.

Aim of this Policy

The aim of this policy is to set out the way in which individuals may raise any concerns that they have and how those concerns will be dealt with

Who does this policy apply to?

This policy applies to all employees, trustees and volunteers.

When should you 'Blow the Whistle'?

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'. A qualifying disclosure is one made by an employee who has a reasonable belief that:

- 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
- concealment of any of the above

...is being, has been, or is likely to be, committed. 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 protected 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.

Principles of this policy

You have an important role to play in protecting Doorstep Library's reputation and you are positively encouraged to come forward with any legitimate concerns that you may have, even if substantial evidence is not available.

There will be no adverse treatment as a consequence if you raise a concern with a reasonable belief that it is true and that it is in the public interest.

You should not allow any private interests or concerns to outweigh your duty to report matters of concern to the management of Doorstep Library.

Doorstep Library expects you and all individuals working with the organisation, to demonstrate a duty of care and trust and confidentiality. All matters disclosed under this policy will be investigated by the organisation in a timely manner, and as fully and impartially as possible. If an investigation concludes that a disclosure has been made maliciously, or with a view to personal gain, the whistle-blower will be subject to disciplinary action.

If you have a concern?

If you have a concern, you should assess the situation and consider the reasons why you are concerned.

- What do your concerns involve? (e.g. fraud, health & safety)
- Who is involved?
- Who else may be involved or have seen what is happening?
- When did this happen? Is it still happening?
- What evidence is there of the malpractice?

Whom should you contact?

All concerns should be raised directly with the Head of Operations. If the concern involves the CEO, then it should be made directly to the Chair of the Board of Trustees

The Reporting Process

- This policy provides a structure that should reassure you that any allegations can be made openly and formally and will not lead to adverse consequences for you.
- You may raise your concerns verbally or ideally in writing. The sooner you express your concerns, the faster action can be taken.
- You are not expected to prove 'beyond doubt' the truth of an allegation; you will however need to be able to demonstrate reasonable grounds for concern and to be acting in the public interest.
- You may invite a colleague from within the organisation to be present during any meetings or interviews in connection with the concerns you have raised.

- In some situations you may be concerned about protecting your identity. If this is the case it may be possible and appropriate to keep your identity confidential, especially if the disclosure is made against your line manager or someone with whom you work closely.
- Anonymous disclosures are not protected under the Act and are discouraged. Anonymous allegations may be acted upon if it is felt appropriate, but investigations will inevitably be inhibited and feedback would not therefore be possible.

Investigative Process

The matter will be investigated initially by the Whistleblowing Officer, who is the Head of Operations

- The investigation will begin as soon as possible but normally within ten working days of a formal disclosure being made.
- If you have not made your disclosure in writing your concerns will be recorded and an appropriate initial course of action decided upon.
- The investigation may need to be carried out with strict confidentiality e.g. in cases of suspected fraud.
- In particular cases it may become necessary to disclose your identity but we will usually seek to advise you of this prior to it happening.

The Outcome

- You will be kept informed about the investigation and (wherever possible) its outcome.
- If the result of the investigation is that there is a case to be answered by any individual, the appropriate policies and procedures will be used.
- Where there is found to be no case to answer, you will not be subject to any disciplinary action, unless it can be clearly demonstrated that you did not have a genuine concern or were acting maliciously or for personal gain.
- However, sometimes the need for confidentiality may prevent us from giving you specific details of the investigation or any disciplinary action taken as a result. You should treat any information about the investigation as confidential.

Dissatisfaction with response

If you believe that Doorstep Library's response has been unsatisfactory then you should raise your concerns in writing with the CEO, within five working days of being notified of the outcome of the investigation. A review will then be carried out by a trustee who was not involved in the original investigation. You will be informed of the outcome of this review.

If you believe that you have been, or are being, victimised as a result of making a disclosure under this policy, you should inform the CEO and invoke the protection given to you under the Public Information Disclosure Act 1998.

When would it be appropriate to blow the whistle externally?

We strongly encourage you to report your concerns internally in the first instance. If subsequently you are not satisfied that your disclosure is being dealt with adequately and you therefore intend to make a disclosure to an external body, you should seek advice. The external body can be one of the following:

- A Legal Adviser
- A Minister of the Crown
- Any person specifically identified in legislation such as a statutory regulator e.g. National Audit Office, HMRC, The Charity Commission, Health and Safety Executive, the Pensions Regulator and the Fundraising Regulator.

You can find the full list in The Public Interest Disclosure (Prescribed Persons) Order 2014:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/496899/BIS-16-79-blowing-the-whistle-to-a-prescribed-person.pdf

You should not disclose any information directly or indirectly to members of the public, the media or other non-prescribed individuals/ bodies.

Where can you get advice?

At any stage you may seek advice on this policy from the Head of Operations). When seeking advice you should request a confidential interview and refer to this policy.

If you feel you cannot seek advice internally then you may wish to contact either:

- the independent general advice service available to all employees and currently provided by 'CIC' (freephone: 0800 085 1376) or
- 'Public Concern at Work', which is an independent charity providing legal and practical advice. They can be contacted on 020 7404 6609 or by e-mailing helpline@pcaw.co.uk.

Exclusions

The Public Interest Disclosure Act does not provide legal protection for voluntary workers (including charity trustees and charity volunteers) or self-employed people making whistleblowing disclosures. Despite this fact, Doorstep Library would still encourage volunteers and self-employed persons who wish to report malpractice or wrongdoing within Doorstep Library, to do so by following the procedures laid out in this policy.