

St Albans Mencap

Charity number: 210073

stalbansmencap.org.uk

Whistleblowing Policy

This policy aims to provide a clear framework for raising concerns about malpractice, breaches of regulations, or criminal offences within our charity. It ensures that all employees, volunteers, and stakeholders can report concerns safely and confidentially.

Document control:

| Version: | Date approved: | By: | Review due: |
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| 1.0 | June 2025 | Board of Trustees | January 2027 |
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Summary of changes:

| Version: | Changes: |
|----------|-----------------------------|
| 1.0 | Complete review and rewrite |
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1. Purpose

This policy aims to provide a clear framework for raising concerns about malpractice, breaches of regulations, or criminal offences within our charity. It ensures that all employees, volunteers, and stakeholders can report concerns safely and confidentially.

2. Scope

This policy applies to all employees, volunteers, contractors, agency workers, and trustees involved with our charity.

3. Definition of Whistleblowing

Whistleblowing is the reporting of a concern in the public interest about wrongdoing within the organisation. This includes, but is not limited to:

- Malpractice that puts the safety of children and young people at risk.
- Breaches of legal obligations.
- Mismanagement or abuse of resources.
- Fraud or corruption.
- Health and safety risks.
- Any other unethical conduct.

4. Legal Framework

This policy complies with the Employment Rights Act 1996 (as amended by the Public Interest Disclosure Act 1998), which protects whistleblowers from unfair treatment or dismissal.

5. Reporting Concerns

Concerns should be raised with the designated Whistleblowing Trustee. If the concern involves the Whistleblowing Trustee, it should be reported to the Chair of Trustees or a Safeguarding Trustee.

6. Procedure

1. **Initial Reporting:** Concerns can be reported verbally or in writing. The report should include details of the concern, any evidence, and the names of those involved.
2. **Investigation:** The Whistleblowing Trustee will conduct a preliminary assessment and, if necessary, initiate a formal investigation. The whistleblower will be kept informed of the progress and outcome.
3. **Confidentiality:** All reports will be treated confidentially. The identity of the whistleblower will be protected unless disclosure is required by law.

4. **Protection:** Whistleblowers are protected from retaliation. Any form of victimisation or harassment will be treated as a disciplinary offence.

7. Confidentiality Measures

1. **Confidential Reporting:** Whistleblowers can report concerns anonymously if they prefer. However, providing contact details can help with the investigation process.
2. **Information Security:** All information related to whistleblowing reports will be stored securely and access will be restricted to authorised personnel only.
3. **Non-Disclosure:** The details of the whistleblowing report and the identity of the whistleblower will not be disclosed to anyone outside the investigation team unless required by law.
4. **Communication:** Any communication regarding the whistleblowing report will be conducted discreetly to maintain confidentiality.

8. Steps if No Wrongdoing is Found

1. **Communication with the Whistleblower:** The whistleblower will be informed of the outcome of the investigation. It's important to communicate clearly and respectfully, explaining that no evidence of wrongdoing was found.
2. **Documentation:** The findings of the investigation will be documented, including the steps taken during the investigation and the reasons for the conclusion. This documentation will be kept confidential and stored securely.
3. **Support for the Whistleblower:** The whistleblower will be offered support, such as counselling services, to address any concerns or feelings they may have following the investigation.
4. **Review of Procedures:** The organisation may review its procedures to ensure that the investigation was conducted fairly and thoroughly. This can help improve the process for future cases.
5. **No Retaliation:** The whistleblower will be protected from any form of retaliation or victimisation, even if no wrongdoing was found. The organisation will ensure that the whistleblower is not treated unfairly because of raising the concern.
6. **Feedback and Learning:** The organisation may use the findings to identify any areas for improvement or training needs, even if no wrongdoing was found. This can help prevent future concerns and improve overall practices.

9. Steps if Wrongdoing is Found

1. **Communication with the Whistleblower:** The whistleblower will be informed of the outcome of the investigation and the steps that will be taken.

2. **Documentation:** The findings of the investigation will be documented, including the steps taken during the investigation and the reasons for the conclusion. This documentation will be kept confidential and stored securely.
3. **Disciplinary Action:** If wrongdoing is found, the charity will follow its disciplinary procedures and policies. This may include:
 - **Formal Warning:** Issuing a formal warning to the individual(s) involved.
 - **Suspension:** Suspending the individual(s) involved pending further investigation.
 - **Termination:** Terminating the employment or engagement of the individual(s) involved.
 - **Legal Action:** Taking legal action if the wrongdoing involves criminal activity.
4. **Support for Affected Parties:** Providing support to any individuals affected by the wrongdoing, including counselling services and legal advice if necessary.
5. **Review and Improvement:** Reviewing the charity's policies and procedures to prevent future occurrences of similar wrongdoing. Implementing any necessary changes or improvements.
6. **Feedback and Learning:** Using the findings to identify areas for improvement or training needs. Ensuring that lessons learned are communicated to all staff and volunteers.

10. Support for Whistleblowers

The charity will provide support to whistleblowers, including access to counselling services and legal advice if necessary.

11. Training and Awareness

Regular training will be provided to all staff and volunteers on the importance of whistleblowing and how to report concerns. The policy will be included in the induction process for new employees.

12. Review

This policy will be reviewed annually to ensure it remains effective and compliant with current legislation.

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Appendix A: Whistleblowing Report Form

Whistleblowing Report Form

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| Name of Whistleblower: |
| Position: |
| Contact Information: |
| Date of Report: |
| Details of Concern: |
| <ul style="list-style-type: none">• Nature of Concern: (e.g., malpractice, breach of legal obligations, fraud) |
| <ul style="list-style-type: none">• Description of Incident: (Please provide as much detail as possible) |
| <ul style="list-style-type: none">• Date and Time of Incident: |

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| <ul style="list-style-type: none">• Location of Incident: |
| <ul style="list-style-type: none">• Names of Individuals Involved: |
| <ul style="list-style-type: none">• Supporting Evidence: (Attach any relevant documents or evidence) |
| Have you previously reported this concern? (Yes/No) |
| If yes, to whom and when? |
| Any additional information: |
| Signature: |
| Date: |
| Please send this form to safeguarding@stalbansmencap.co.uk or deliver to the Manager |