



One Voice Whistleblowing Policy

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Author Nicola Medicott

Purpose

One Voice is committed to providing a safe and inclusive place for all, trustees, employees and volunteers (the term 'member' is used throughout this document to describe anyone involved within the organisation). All who are involved with the charity are encouraged to use this policy if they have any concerns as listed below.

- 1.1 This policy aims to enable and encourage members to raise concerns within One Voice. It recognises a worker's legal rights to make a protected disclosure to certain prescribed persons or bodies under the Public Interest Disclosure Act 1998 and any subsequent legislation, as incorporated into the Employment Rights Act 1996¹.
- 1.2 One Voice is committed to creating a safe, open and transparent environment, where all are encouraged to raise concerns at the earliest opportunity.
- 1.3 It is important that any fraud, misconduct or wrongdoing members of the organisation, is reported and properly dealt with. One Voice is committed to tackle malpractice and wrongdoing.

One Voice encourages members to use internal mechanisms for reporting malpractice or illegal acts or omissions by anyone in the charity

This policy allows members to take the matter further if they are dissatisfied with the trustee response and aims to reassure all that they will be protected from harassment or victimisation from One Voice for raising concerns.

2. Definitions and scope

- 2.1 This policy applies to members of One Voice.
 - 2.2 For the purpose of this policy, One Voice recognises that whistleblowing is the passing on of information about wrongdoing within the charity. The
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whistleblower must reasonably believe that they are acting in the public interest.

2.3 The statutory categories for wrongdoing are:

- a criminal offence (such as insurance fraud or illegal tax evasion)
- a breach of any legal obligation
- a miscarriage of justice
- endangering an individual's health and safety
- damage to the environment
- deliberate concealment of information about any of the above.

2.4 Examples of wrongdoing might include (but are not restricted to) :

- unsafe working conditions
- lack of, or poor, response to a reported safety incident
- inadequate induction or training for staff
- suspicions of fraud
- a bullying culture (across a team or organisation rather than individual instances of bullying).

2.5 It is not necessary for the member to have proof that wrongdoing is being, has been, or is likely to be committed. A reasonable belief is sufficient to disclose the concern. The member has no responsibility for investigating the wrongdoing. It is the organisation's responsibility to ensure that an investigation takes place.

2.6 A member of the organisation who makes such a protected disclosure has the right not to be dismissed, subjected to any other detriment, or victimised, because they have made a disclosure.

2.7 One Voice recognises that any so-called 'gagging' or confidentiality clauses in settlement agreements or non-disclosure agreements with individuals do not prevent members from making disclosures in the public interest and are void in such circumstances.

2.8 This policy will be reviewed annually from date of issue by the trustees. Where review is necessary due to legislative change, this will happen immediately.

3. Roles and Responsibilities

3.1 The trustees are responsible and accountable for this Whistleblowing Policy and Procedure. They will:

- demonstrate commitment to developing an open culture within the organisation, through actions and strategy
 - receive and review annual reports on whistleblowing activity
 - appoint designated officer/s.
- 3.2 All members have a duty to report wrongdoing (whistleblow) under the circumstances set out in section 2 of this policy.
- 3.3 Designated officer/s (see below) have lead responsibility for the whistleblowing procedure and for dealing with issues raised. They will:
- oversee and review the whistleblowing policy and procedure
 - providing advice and support to trustees
 - ensure learning from whistleblowing cases is fed back to the wider organisation
 - investigate issues raised with them directly promptly and thoroughly
 - informing all reported disclosures to the trustees
 - ensure the process is monitored and improved where required
 - provide reports on whistleblowing activity on an annual basis to the trustees

4.1 Designated officers

- 4.2 The following people have been nominated and agreed by One Voice as designated officers :

Kelly Grigg (Trustee)

Nicola Medicott (Safeguarding Lead)

- 4.3 These designated officers will act as an independent and impartial source of advice to members at any stage of raising a concern, with access to anyone in the organisation. They will:
- treat the concern confidentially unless otherwise agreed
 - ensure member receives timely support to progress their concern
 - escalate to trustees any indications that the member is being subjected to detriment for raising their concern
 - remind the organisation of the need to give the member timely feedback on how their concern is being dealt with

- ensure the member has access to personal support as it is recognised that raising such a concern may be stressful.

5. How to raise a concern

- 5.1 The member can approach a designated officer directly. The designated officer will then confirm how the matter will be investigated.
- 5.2 Any member who wants to raise a concern that is potentially of public interest, is encouraged to get legal advice where appropriate such as through the charity
- 5.3 If, for any reason, the member does not feel comfortable raising their concern internally, they can raise concerns externally with 'prescribed bodies' (see section 8 below) if they feel this is necessary and in the public interest.
- 5.4 Concerns should be raised in writing (including email). The letter should set out the background and history of the concerns, giving names, dates and places where possible, and the reason why the member is making the disclosure. If the individual does not feel able to make the disclosure in writing, an interview will be arranged.
- 5.5 When any meetings are arranged with an individual who is making or has made a protected disclosure, they have a right to be accompanied.
- 5.6 The person raising concerns does not have to prove the allegation but they must demonstrate that there are sufficient grounds for concern.
- 5.7 If the member wants to raise the matter in confidence, they should please say at the outset so that appropriate arrangements can be made.
- 5.8 Confidentiality will be maintained as far as is possible. It is guaranteed at the point of making a protected disclosure and will be maintained throughout the investigation and hearings, other than when a disclosure of identity is needed due to cross examination of the member as a witness to any subsequent procedure, or is required by law. It is best to raise a concern openly, because that makes it easier for One Voice to follow it up. One Voice will not disclose the whistleblower's identity without their consent unless there are legal reasons that require them to do so. This might be, for example, where their information is about a child or vulnerable adult who is at risk, or where there is a possible criminal offence. If this is the case, One Voice may have to tell the police or another official body, or if required to do so by a court. One Voice will let the individual know if it has to do this and that this will identify them to another body.
- 5.9 Members if they wish, may disclose information anonymously. However, it should be noted that in such circumstances, One Voice will not be able to contact the member to discuss their concern or ask them for further information, nor will they normally be able to give any feedback about any action it takes,

although anonymous whistleblowers may seek feedback through a telephone appointment or by using an anonymised email address.

6. How One Voice will respond

- 6.1 Any concern raised under this policy will be investigated thoroughly, promptly and confidentially.
- 6.2 Any approach to designated officers will be treated with the strictest confidence and the member's identity will not be disclosed without their prior consent. All members will be treated with respect at all times and the person raising the concern will be thanked.
- 6.3 There may be a meeting with the member raising the concern to ensure One Voice understands exactly the particular worry.
- 6.4 When an individual makes a disclosure, the organisation will process any personal data collected as part of the investigation in line with One Voice's data protection policy ensuring the data is stored securely and only accessed by those individuals essential for dealing with the disclosure.
- 6.5 Within five working days of a concern being raised, the designated officer who received the disclosure will write to the member setting out the following:
 - Acknowledgement that the concern has been received, the date it has been received, whether the person who raised the concern has requested confidentiality, and a summary of the concern
 - Indicating how the matter will be dealt with and by whom and how they can be contacted
 - Telling the member when an investigation has or is to be started and if further assistance will be needed from them.
 - The member who raises the concern will be told how long to expect the investigation to take and will be kept up to date with its progress.
 - The matters raised may be investigated internally. Where it has not been possible to resolve the matter quickly (usually within a few days) with someone suitably independent (such as a designated officer) and properly trained will carry out an investigation.
 - The investigation will be objective and evidence-based, and will produce a report that focuses on identifying and rectifying any issues, and learning lessons to prevent problems recurring. The investigator may decide that the concern would be better looked at under another process, if so, this will be discussed with the member.
 - On conclusion of any investigation, the member will be told the outcome of the investigation and what One Voice has done, or proposes to do, about it. Wherever possible, One Voice will share the full investigation report with

the member who raised the concern (while respecting the confidentiality of others). If no action is to be taken, the reason for this will be explained.

- If an individual is not satisfied with the response received and any subsequent action taken, they should put their concerns in writing to **E.Ashton CEO** who will arrange any further investigation as he/she thinks appropriate.
- More serious disclosures may be referred to an external prescribed person or body and may form the subject of an independent inquiry.

Harassment and victimisation

- One Voice understands that raising a concern can be difficult for a member, especially if they fear reprisal from those responsible for the malpractice. One Voice will not tolerate harassment and victimisation of anyone raising a concern.

7.2 If a member makes an allegation in good faith, but the allegation is not confirmed by the investigation, no action will be taken against that member. Provided the member of staff is acting honestly, it does not matter if they are mistaken or if there is an innocent explanation for their concerns.

8. Reporting a concern to an external body

8.1 This policy is intended to provide a route by which members can raise concerns internally. However, if a member is unhappy with the outcome of an investigation or if, for any reason they do not feel comfortable raising their concern internally, they are free to take the matter outside of the organisation to a prescribed person or body or to their Member of Parliament (MP).

8.2 The full list of prescribed persons and bodies can be found on the UK government website at www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2/whistleblowing-list-of-prescribed-people-and-bodies. They include

- HM Revenue & Customs
- the Comptroller and Auditor General
- the Director of the Serious Fraud Office
- the Charity Commission for England and Wales
- the Information Commissioner
- the Equality and Human Rights Commission
- the Health and Safety Executive
- the Care Quality Commission
- the Environment Agency.

9. More information and support

- 9.1 Protect is the UK's whistleblowing charity that aims to stop harm by encouraging safe whistleblowing. They provide a legal advice service we offering free expert and confidential advice on how best to raise a concern and protection as whistleblower.

<https://protect-advice.org.uk>

Protect Advice Line: whistle@protect-advice.org.uk

Protect Advice Line: 020 3117 2520 (* option 1)