



WHISTLE BLOWING POLICY

APPROVED BY:

Directors

LAST REVIEWED:

07/07/22

NEXT REVIEW:

07/07/23

1. Introduction

The word whistleblowing in this Policy refers to the disclosure internally or externally by workers of malpractice, as well as illegal acts or omissions at work.

2. Policy statement

Community Court Yard is committed to achieving the highest possible standards of service and the highest possible ethical standards in public life and in all of its practices. To achieve these ends, it encourages freedom of speech. It also encourages staff to use internal mechanisms for reporting any malpractice or illegal acts or omissions by its employees or ex-employees.

3. Other policies and procedures

Community Court Yard has a range of policies and procedures, which deal with standards of behaviour at work; they cover Discipline, Grievance, and Recruitment and Selection. Employees are encouraged to use the provisions of these procedures when appropriate. There may be times, however, when the matter is not about your personal employment position and needs to be handled in a different way. Examples may be:

- Inappropriate behaviour towards a child/young person* or colleague
- A criminal offence has been committed, is being committed or is likely to be committed
- Suspected fraud
- Disregard for legislation, particularly in relation to health and safety at work
- The environment has been, or is likely to be, damaged
- Breach of standing financial instructions
- Showing undue favour over a contractual matter or to a job applicant
- A breach of a code of conduct
- Information on any of the above has been, is being, or is likely to be concealed

This list provides examples and is not exhaustive.

* This policy does not replace Community Court Yard's Safeguarding Policy which should be followed with reference to this policy. If you are concerned about the health or well-being of a child/young person, you should follow Community Court Yard's Safeguarding Policy in the first instance.

Community Court Yard will not tolerate any harassment or victimisation of a whistleblower (including informal pressures), and will treat this as a serious disciplinary offence, which will be dealt with under the Disciplinary Rules and Procedure.

4. Role of Trade Unions

Community Court Yard recognises employees may wish to seek advice and be represented by their trade union(s) officers when using the provisions of this policy, and acknowledges and endorses the role trade union officers play in this area and welcome their involvement in all aspects of the whistleblowing procedures.

5. Designated officers

The following people have been nominated and agreed by Community Court Yard as designated officers for concerns under this procedure. They will have direct access to the Chair of the Board of Directors.

.Pete Martin Advisory Board Member 01604 639545

6. Role of designated officer

Where concerns are not raised with the line manager, the designated officer will be the point of contact for employees who wish to raise concerns under the provisions of this policy. Where concerns are raised with him/her, he/she will arrange an initial interview, which will if requested be confidential, to ascertain the area of concern. At this stage, the whistleblower will be asked whether he/she wishes his/her identity to be disclosed and will be reassured about protection from possible reprisals or victimisation. He/she will also be asked whether or not he/she wishes to make a written or verbal statement. In either case, the designated officer will write a brief summary of the interview, which will be agreed by both parties.

7. Role of the Chief Executive Officer

The designated officer will report to the Chair of the Board of Directors, who will be responsible for the commission of any further investigation.

8. Complaints about the Chair of the Board of Directors

If exceptionally the concern is about the Chair of the Board of Directors in Community Court Yard, this should be made to the Chair of the Advisory Board, who will decide on how the investigation will proceed. This may include an external investigation.

9. The investigation

The investigation may need to be carried out under the terms of strict confidentiality i.e. by not informing the subject of the complaint until (or if) it becomes necessary to do so. This may be appropriate in cases of suspected fraud. In certain cases, however, suspension from work may have to be considered immediately. Protection of children/young people is paramount in all cases.

9.1 The designated officer will offer to keep the whistleblower informed about the investigation and its outcome.

9.2 If the result of the investigation is that there is a case to be answered by any individual, the Disciplinary Rules and Procedure will be used.

9.3 Where there is no case to answer, but the employee held a genuine concern and was not acting maliciously, the designated officer should ensure that the employee suffers no reprisals.

9.4 Only where false allegations are made maliciously, will it be considered appropriate to act against the whistleblower under the terms of the Disciplinary Rules and Procedure.

10. Inquiries

If the concern raised is very serious or complex, an inquiry may be held. The action taken will depend on the nature of the concern and may:

- be resolved by agreed action without the need for investigation;
- be investigated internally;
- be referred to the police;
- be referred to an external auditor; or
- form the subject of an independent inquiry.

11. Following the investigation

The Chair of the Board of Directors will arrange a meeting with the designated officer and whistleblower to feedback on the outcome of the investigation and any action taken. The designated officer will then arrange a meeting with the whistleblower to give feedback on any action taken. (This will not include details of any disciplinary action, which will remain confidential to the individual concerned).

11.1 If the whistleblower is not satisfied with the outcome of the investigation Community Court Yard recognises the lawful rights of employees and ex-employees to make disclosures to prescribed persons (such as the Health and Safety Executive, the Audit Commission, or the utility regulators, or, where justified, elsewhere).

12. The Law

This policy and procedure has been written to take account of the Public Interest Disclosure Act 1998, which protects workers making disclosures about certain matters of concern, where those disclosures are made in accordance with the Act's provisions. The Act is incorporated into the Employment Rights Act 1996, which also already protects employees who take action over, or raise concerns about, health and safety at work.