



# Whistleblowing Policy

## 1. Our commitment

At Divine Buzz, we always aim to conduct ourselves ethically and with honesty and integrity. We expect the same high standards from all staff, contractors, and volunteers.

We do, however, recognise that there may be occasions when we or our staff, contractors, and volunteers do not get this right. In such circumstances, an individual may feel that they need to raise genuine and serious concerns through this whistleblowing policy.

## 2. Aim of the policy

The aims of this policy are to:

- provide an effective way for you to raise serious concerns
- ensure that you are aware of the channels through which to receive feedback on any action undertaken by us as a result of your raising serious concerns
- ensure that you will be protected from reprisals or victimisation for having raised your concern in good faith
- signpost you to further options that may be available to you if you are dissatisfied with our response or if the internal investigation is not suitable
- allow Divine Buzz to take action against any employee who makes allegations in bad faith and/or publicly discloses information when it is unreasonable for them to do so.

## 3. Who does this policy apply to

This policy applies to all Directors, Managers, staff, contractors, and volunteers of Divine Buzz.

## 4. Defining whistleblowing

‘Whistleblowing’ is a term used to describe a situation where an insider of an organisation passes on information relating to wrongdoing in the workplace. This action is referred to as



“making a disclosure” or “blowing the whistle”. Examples of where an insider can blow the whistle include how the organisation raises funds, how staff, contractors, and volunteers are treated, as well as the processes of commissioning or paying out funds.

The wrongdoing an individual discloses must be in the public interest. Whether it is in the public interest will depend on the following:

- the number of people affected
- the nature and impact of the wrongdoing
- who is the wrongdoer

Generally, the concern must have an impact wider than one employee’s circumstances.

## **5. Protecting individuals using this policy**

The governing whistleblowing law is found in the Employment Rights Act 1996 (as amended by the Public Interest Disclosure Act 1998). It provides the right for a worker to take a case to an employment tribunal if they have been victimised at work or they have lost their job because they have ‘blown the whistle’.

An insider can blow the whistle if they believe the existence of legitimate concerns about specified matters. These legitimate concerns are called ‘protected disclosures’. Protected disclosures must fulfil the criteria:

- The individual must provide information of a concern that they “reasonably believe” shows a category of wrongdoing set out in the law
- The individual must reasonably believe that the concern is in the public interest
- The individual must raise their concern in accordance with the law – either internally to their employer or externally to an outside body.

Examples of legitimate concerns about specified matters include:



- a criminal offence (including fraudulent and corrupt behaviour, eg, theft, fraud, or malpractice)
- 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, or • concealment of any of the above.

It is not necessary for the individual to have proof that such an act is being, has been, or is likely to be, committed. However, the individual needs to have a reasonable belief that such an action is being or is likely to be carried out.

Once the individual has made such a protected disclosure, they have the right not to be dismissed, subjected to any other detriment, or victimised, regardless of whether the case concludes that the individual was genuinely mistaken. Divine Buzz will not tolerate any individual being subjected to a detriment due to disclosing in good faith.

Under the law, interns, contractors, or volunteers are not afforded the same legal protection as employees. However, at Divine Buzz, we promote and encourage an open and honest environment where concerns can be freely raised. It is our aim, wherever possible, to treat all individuals making a disclosure in the spirit of the Public Interest Disclosure Act 1998.

## **6. Malicious disclosures**

If it is found that an individual has maliciously raised a matter which they know to be untrue or they are involved in any way in the malpractice, wrongdoing, or illegal acts or omissions, their behaviour may be addressed through the appropriate Divine Buzz policy.

## **7. Non-whistleblowing concerns**

This policy is only to be used in exceptional circumstances, as outlined above in Section 5. Divine Buzz has policies that will be relevant in other circumstances.

These policies may include but are not limited to:



- Disciplinary and grievance policy
- Safeguarding and child protection policy
- Anti-bullying and harassment policy
- Health and safety policy

## **8. Raising a concern**

Individuals are encouraged to raise whistleblowing concerns as soon as possible. Doing this will make it easier to act and enable any problems to be resolved or reported quickly.

Although there is an option for oral disclosures, written disclosures are preferable as they provide a soundtrack of evidence about the case and will make the process more efficient and effective.

The following information should be included in the disclosure:

- Context and background, including relevant dates, venues, names, etc
- State the reason why the situation causes concern.
- You must say that you are raising your concern using the whistleblowing policy
- State whether you wish your identity to be kept confidential

We aim to deal with all disclosures with confidentiality, however, depending on the circumstances of the case, this may not always be possible. If this is impossible, the individual will be informed of this decision and why it was not possible. Anonymous disclosures are dealt with; however, they are not usually encouraged since anonymity often makes it difficult to properly investigate concerns, protect the staff, contractors, and volunteers or give feedback on outcomes.

## **9. Who should I raise it with?**

Whenever an individual has a disclosure to lodge, they should raise the issue with the Manager in the first instance.



Where this is not appropriate because they may be involved in the alleged malpractice, wrongdoing, or illegal acts or omissions in some way, then they should raise their concern with the Directors.

Depending on the nature of the case, the Directors may arrange for the concern to be investigated externally and independently of the Divine Buzz and for appropriate follow-up action to be taken.

## **10. What happens after I raise a concern?**

All disclosures will be acknowledged within five working days.

It will be investigated by the Divine Buzz Manager or the Directors

They will arrange to meet the individual in question as soon as possible, preferably away from the workplace, to enable you to explain your concern following the guidelines in Section 8 above.

We aim to inform the individual of the next course of action to address the raised concern at the meeting or as soon as possible. The individual will then be informed of any action taken with a clear explanation. The action taken in response to the disclosure will depend on the nature of the concern.

In most disclosure, the outcomes may be that:

- no action required
- action is taken under other Divine Buzz policies or procedure
- an internal investigation is undertaken under this policy
- the case is referred to the police or relevant statutory body
- the case is referred to Divine Buzz's external auditors
- An independent inquiry is undertaken

The Divine Buzz Manager and the Directors must work together to resolve the potential whistleblowing concern as soon as possible.



## **11. Raising a concern externally**

All staff, contractors, and employees are strongly encouraged to utilise the internal processes set out in Section 7. If the individual is not pleased with the outcome of the internal investigation, they have a legal right to disclose it to respective bodies such as HM Revenue & Customs; the Health and Safety Executive; the Financial Services Authority; the Office of Fair Trading; the Environment Agency; fundraising regulator and more.

As with employees, contractors, and volunteers, Divine Buzz has similar rights and obligations, and it reserves the right to make a referral to any of the bodies mentioned above without the individual's consent.

## **12. Making a disclosure to the press**

Divine Buzz expects staff, contractors, and employees to disclose legitimate concerns through the above in Sections 8 and 9, as these are deemed reasonable avenues.

Disclosures to the press are not considered reasonable, and they may constitute misconduct. In this case, the issue may be treated as a disciplinary matter in accordance with our Grievance and Disciplinary policy and procedure.

## **13. Further help and assistance**

If, at any stage in the procedure, the individual is unsure about what to do and would like independent advice, please contact someone at [Protect](#) to discuss the concern. Protect is an independent charity that offers confidential free legal, and practical advice on how people can raise concerns about malpractice at work. Protect can also be contacted on their [contact form](#) or by phone at 020 3117 2520.

Signature:

Contact details: **07951922324**

## **Review**

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