**FRIENDS OF HASLINGDEN**

**CEMETERY**

Whistleblowing

# Policy

Friends of Haslingden Cemetery are committed to being open, honest and accountable. It encourages a free and open culture in its dealings between the committee members, volunteers, interested parties and the Council.

This policy aims to help everyone to raise any serious concerns they may have with confidence and without having to worry about being victimised, discriminated against or disadvantaged in any way as a result.

It is written in the context of the Public Interest Disclosure Act 1998 which protects those who ‘blow the whistle’ on malpractices within their organisation.

## What types of concerns?

The policy is intended to deal with serious or sensitive concerns about wrongdoings such as the following:

* a criminal offence
* a failure to comply with any legal obligation
* a failure in the protection of children or vulnerable adults
* a miscarriage of justice
* a health and safety risk to an individual
* damage to the environment
* or concealment of the above.

It is not necessary for individuals who raise the concern to prove the wrongdoing that is alleged to have occurred or is likely to occur.

However if an individual knowingly or maliciously makes an untrue allegation (*eg:* in order to cause disruption), Friends of Haslingden Cemetery will take appropriate disciplinary action against them. It may constitute gross misconduct.

Individuals should note that they will not be protected from the consequences of making a disclosure if, by doing so, they commit a criminal offence.

This policy does not deal with any complaints individuals may have.

Friends of Haslingden Cemeterys Bullying and Harassment policy offers protection to volunteers and members against harassment, bullying and discrimination.

## How to raise a concern in the workplace

The officer designated to handle whistleblowing concerns is ………………………………………………….. and shall be known as the Whistleblowing Officer.

Individuals should in most cases, first report their concern a committee member, who is expected to respond to that matter. If the relevant person cannot deal with the matter, he or she will refer the concern to the Whistleblowing Officer.

Dependent on the seriousness and sensitivity of the matter, and who is suspected of the wrongdoing, the individual can, if necessary report directly to the Whistleblowing Officer. If the matter concerns the Whistleblowing Officer, it should be raised with the committee member.

Individuals are encouraged to raise their concerns in writing where possible, setting out the background and history of their concerns (giving names, dates and places where possible) and indicating the reasons for their concerns.

If any individual is unsure whether to use this procedure or they want independent advice at any stage, they should contact:

* the independent charity, Public Concern at Work’s legal helpline on 020 7404 6609,
email: helpline@pcaw.co.uk
* Rossendale Borough Council

Public Concern at Work will be able to advise on how and with whom to raise a concern about malpractice.

Disclosures made to a legal advisor in the course of obtaining legal advice will be protected under the Public Interest Disclosure Act.

If the individual reasonably believes that the matter relates wholly or mainly to the conduct of a person or body other than Friends of Haslingden Cemetery or any other matter for which a person or body other than Friends of Haslingden Cemetery has legal responsibility, the disclosure should be made to that other person or body.

## Protecting the individual raising the concern

If an individual raises a concern which they believe to be true, Friends of Haslingden Cemetery will take appropriate action to protect the individual from any harassment, victimisation or bullying

The matter will be treated confidentially if the individual requests it and their name or position will be not be revealed without their permission unless Friends of Haslingden Cemetery has to do so by law. If in other circumstances the concern cannot be resolved without revealing the individual’s identity, the Whistleblowing Officer will discuss with the individual whether and how to proceed.

Concerns raised anonymously tend to be far less effective but the Whistleblowing Officer will decide whether or not to consider the matter taking into account:

* the seriousness of the matter;
* whether the concern is believable;
* whether an investigation can be carried out based on the information provided.

## How we will deal with the concern

How the concern will be dealt with, will depend on what it involves. It is likely that further enquiries and/or investigation will be necessary. The concern may be investigated by Friends of Haslingden Cemetery Whistleblowing Officer, the committee members, through the disciplinary process or it may be referred to the police, other agencies such as Social Services, an external auditor or an independent investigator.

It may be necessary for the individual to give evidence in criminal or disciplinary proceedings.

Friends of Haslingden Cemetery will give the individual feedback on the progress and outcome of any investigation wherever possible.

If the suspicions are not confirmed by an investigation, the matter will be closed. You will not be treated or regarded any differently for raising the concern, and their confidentiality will continue to be protected.

## The Legislation

The Public Interest Disclosure Act came into force in July 1999. It protects most workers against unfair dismissal or being subjected to any other detriment by their employer (such as denial of promotion, pay rise or training) for making disclosures about wrongdoing. It covers all employees, trainees, agency staff, contractors and homeworkers, regardless of length of service or age. However the genuinely self-employed and volunteers are not covered by the Act.

The Act encourages workers to raise concerns about malpractice – dangerous or illegal activity – in the workplace. It does not matter whether the wrongdoing takes place in the United Kingdom or abroad. In order for it to be a ‘qualifying disclosure’ under the Act, the whistleblower should reasonably believe that there is

* a criminal offence
* a failure to comply with any legal obligation
* a miscarriage of justice
* a health and safety risk to an individual
* damage to the environment
* or concealment of the above.

It was duly agreed by those present on the

21 November 2019

That the above policy be adopted by Friends of Haslingden Cemetery and appended to the group constitution

Endorsed on behalf of the Friends of Haslingden Cemetery:

A Taylor L Drew A N Taylor

Chair Secretary Treasurer