



Whistleblowing Policy

POLICY DOCUMENT 21	
Title	Whistleblowing Policy
Approved by	Board of Trustees
Date approved	31 August 2023
To be reviewed	Every 3 year, on legislative changes or in the event of a serious incident
Review history	26 November 2020, 21 November 2017
Owner	Chair of Trustees
Where to be published (website/private)	Website

1.0 Purpose

1.1 The Centre for Self Managed Learning (hereafter referred to as “the Charity”) is committed to the highest standards of openness, probity and accountability. An important aspect of this is a mechanism to enable employees (and others associated with the work of the Charity), who believe they have discovered malpractice or impropriety, to voice concerns in a responsible and constructive manner.

1.2 The Public Interest Disclosure Act, which came into effect in 1999, gives legal protection to employees against being dismissed or penalised by their employers as a result of publicly disclosing certain serious concerns. The Charity has endorsed the provisions set out below to ensure that no employee or volunteer feels at a disadvantage in raising legitimate serious concerns.

2.0 Policy Statement

2.1 This policy is designed to enable employees or volunteers of the Charity to raise concerns internally and at a high level and to disclose information which the individual believes shows malpractice or impropriety. It is intended to cover concerns which are in the public interest and may at least initially be investigated separately but might then lead to the invocation of other procedures, e.g. disciplinary. Concerns could include, but are not limited to:

- financial malpractice or fraud
- failure to comply with a legal obligation or statute
- danger to the health and safety of others
- criminal activity
- improper conduct or unethical behaviour
- attempts to conceal any of the above

2.2 Whistleblowing is distinct from complaints, grievances and employment disputes. A complaint is defined as an expression of personal dissatisfaction and should be submitted in accordance with the Charity’s Complaints Policy. Employment disputes should be pursued directly with the employer or other responsible body.

3.0 Safeguards

3.1 The Charity will offer protection to those employees who disclose concerns provided their disclosure is made in good faith and in the reasonable belief of the individual making the disclosure that they intend to show malpractice.

3.2 All such disclosures will be treated in a confidential and sensitive manner. The identity of the individual making the allegation may be kept confidential so long as it does not hinder or frustrate any investigation. However, the investigation process may reveal the source of the information and the individual making the disclosure may need to provide a statement as part of the evidence required.

3.3 If an individual makes an allegation in good faith, which is not confirmed by subsequent investigation, no action will be taken against that individual. In making a disclosure, the individual should exercise due care to ensure the accuracy of the information. If an individual makes malicious or vexatious allegations, disciplinary action may be taken against that individual. In an extreme case, malicious or vexatious allegations could give rise to legal action on the part of the person(s) complained about.

4.0 Procedure for Making a Disclosure

4.1 On receipt of a complaint or disclosure, the person receiving this must pass the information on to the designated person for investigation as follows:

- Chair of Trustees
- The Company Secretary - if the disclosure is about the Chair of Trustees

4.2 If there is evidence of criminal activity then the designated person must inform the police. The Charity will ensure that any internal investigation does not hinder a formal police investigation.

5.0 Procedure for Investigating a Disclosure

5.1 The designated person should adhere to the following:

- Obtain full details and clarifications of the disclosure
- Inform the person against whom the disclosure has been made as soon as is practicably possible. Inform the person of their right to be accompanied by a representative at any future interview or hearing
- Consider the involvement of the police
- Fully investigate the allegations with assistance where appropriate
- Complete a report detailing the steps taken, findings of the investigation and reasons for any judgement
- Pass the report to the decision maker
- Try as far as is possible to keep the Whistle-blower's details confidential where they have requested confidentiality.

6.0 Procedure for Deciding Action following an Investigation

6.1 Having completed an investigation, the designated person should pass their report to the Chair of Trustees who will decide what action to take. If the original disclosure involves the Chair of Trustees the report should be passed to another Trustee.

6.2 If the disclosure is shown to be justified, the disciplinary or other appropriate procedure will then be invoked. Consideration should again be given to any need to involve the police.

6.3 The complainant should be kept informed of the progress of the investigation and, if appropriate, the final outcome.

6.4 If appropriate, relevant policies and/or procedures should be reviewed and amended if necessary.

6.5 If the investigation finds the disclosure unsubstantiated and all internal procedures have been exhausted, but the complainant is not satisfied with the outcome of the investigation, the Charity recognises the lawful rights of employees to make disclosures to prescribed persons such as the police, Health & Safety Executive, Audit Commission, Charities Commission.

7.0 Related Policies

- Financial Policy
- Anti-bribery & Corruption Policy
- Conflicts of Interest Policy
- Disciplinary procedure

- Complaints Policy

8.0 Review

This policy will be reviewed as and when the legislation changes or after a significant change in operations of the Charity or a significant incident, but no less frequently than every 3 years.