



POLICY ON WHISTLE BLOWING

Definitions

Whistle blowing: The official name for whistle blowing is 'making a disclosure in the public interest'. It means that if you believe there is wrong-doing in your workplace, you can report this by following the correct processes and your employment rights are protected. This Policy applies to Volunteers as well as to Employees.

Policy

It is important that any fraud, misconduct or wrongdoing by staff or others working or volunteering on behalf of Ridgeline Trust is reported and properly dealt with. We therefore encourage all individuals to raise any concerns that they may have about the conduct of others in the charity or the way in which the organisation is run. This policy sets out the way in which individuals may raise any concerns that they have and how those concerns will be dealt with.

Background

The Public Interest Disclosure Act 1998 amended the Employment Rights Act 1996 provides protection for workers who raise legitimate concerns about specified matters in the public interest. These are called 'qualifying disclosures'. A qualifying disclosure is one made by an employee or a volunteer who has a reasonable belief that:

- a criminal offence
- 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.

is being, has been, or is likely to be, committed. It is not necessary for you to have proof that such an act is being, has been, or is likely to be, committed – a reasonable belief is sufficient. You have no responsibility for investigating the matter – it is Ridgeline Trust's responsibility to ensure that an investigation takes place.

If you make a protected disclosure you have the right not to be dismissed, subjected to any other detriment, or victimised, because you have made a disclosure. We encourage you to raise your concerns under this procedure in the first instance.

Your Safety

The Trustees are committed to this policy. If you raise a genuine concern under this policy, you will not be at risk of losing your job or suffering any detriment (such as reprisal or victimisation). Provided you are acting in good faith (effectively this means honestly), it does not matter if you are genuinely mistaken or if there is an innocent explanation for your concerns. This assurance is not extended to those who maliciously raise a matter they know is untrue. If, following a thorough investigation, it is found that you raised a matter maliciously; this will be dealt with under Ridgeline Trust's Disciplinary Policy.

Principles

- Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. Staff, Volunteers and others working on behalf of the charity should be watchful for illegal or unethical conduct and report anything of that nature that they become aware of.
- We all work together to ensure that no person is discriminated against on the grounds of their gender, gender reassignment, sexual orientation, marital status, race, ethnic origin, colour, nationality, disability, religion, belief or age. Any concern relating to discrimination could be raised through this procedure.
- Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation reported back to the person who raised the issue.
- No employee, volunteer or other person working on behalf of Ridgeline Trust will be victimised for raising a matter under this procedure. This means that the continued employment and opportunities for future promotion or training of that person will not be prejudiced because they have raised a legitimate concern.
- Victimisation of an individual for raising a qualified disclosure will be a disciplinary offence.
- If misconduct is discovered as a result of any investigation under this procedure our disciplinary procedure will be used, in addition to any appropriate external measures.
- Maliciously making a false allegation is a disciplinary offence.
- An instruction to cover up wrongdoing is itself a disciplinary offence. If told not to raise or pursue any concern, even by a person in authority such as a Trustee, you should not agree to remain silent. You should report the matter to the Chair of Trustees.

Procedure

This procedure is for disclosures about matters other than a breach of your own contract of employment. Matters relating to your contract of employment should be raised via the grievance procedure. **A final outcome may take more time but a final resolution/outcome at each stage should be available within ten working days.**

Note: In this procedure, if the Chair of Trustees is personally involved in the matter which is being raised as a disclosure, the Chair will recuse him/herself from the process, and actions allocated to the Chair will be undertaken by an alternative Trustee nominated for the purpose by the remaining Trustees.

Stage 1: In the first instance, any concerns should be raised with any Trustee (the First Contacted Trustee), who will arrange an investigation of the matter, with help from colleagues as appropriate. The investigation may involve you and other individuals involved giving a written statement. Any investigation will be carried out in accordance with the principles set out above.

Your statement will be taken into account, and you will be asked to comment on any additional evidence obtained. The First Contacted Trustee will take any necessary action, including reporting the matter to the board of Trustees and any appropriate government department or regulatory agency. The Chair of Trustees will also be recommended to invoke any disciplinary action required. On conclusion of any investigation, you will be told the outcome and what the charity has done, or proposes to do, about it. If no action is to be taken, the reason for this will be explained.

Stage 2: You should escalate the matter to the Chair of Trustees if you are concerned that the First Contacted Trustee:

- is involved in the wrongdoing
- has failed to make a proper investigation
- or has failed to report the outcome of the investigations to the relevant person.

The Chair of Trustees will arrange for a review of the investigation to be carried out, make any necessary enquiries and make their own report to the board of Trustees.

Stage 3: If on conclusion of stages 1 and 2 (where applicable) you reasonably believe that the appropriate action has not been taken, you should report the matter to the relevant body. According to the circumstances, this could include:

- HM Revenue & Customs
- The Health and Safety Executive
- The Environment Agency
- The Serious Fraud Office
- The Charity Commission
- The Pensions Regulator
- The Information Commissioner
- The Police

You can find the full list in [The Public Interest Disclosure \(Prescribed Persons\) Order 2014](#) (PDF).

Data protection

When an individual makes a disclosure, we will process any personal data collected in accordance with the Ridgeline Trust data protection policy. Data collected from the point at which the individual makes the report is held securely and accessed by, and disclosed to, individuals only for the purposes of dealing with the disclosure. You can refer to the Ridgeline Trust confidentiality and data protection policy for more details.

Who is responsible for this policy?

The Chair of Trustees has overall responsibility for this whistle blowing policy, assisted by all the other Trustees

It is the responsibility of all staff, members of the Planning Group, volunteers and trustees to help each other give effect to this policy.

Ensuring compliance with the policy

- A requirement to comply with this policy shall be a term of any employment contract, Training: Ridgeline Trust will make sure all staff and volunteers are aware of this policy and provide appropriate information and support as required
- Ridgeline Trust will ensure that a copy of this policy is made available for staff and volunteers at Ridgeline's premises.
- Compliance with whistle blowing law and with this policy will be required in o all Ridgeline activities
- For group emails relating to this policy, the standard practice will be to use blind copies unless there is a good reason to let the others know who else is receiving it.

This policy is to be reviewed every two years or earlier if required by changes in circumstances or Legislation

Adopted by Trustees February 2022