

# The Village Hall

MILBORNE ST ANDREW

Registered Charity No: 301153



## Whistleblowing Policy

**This policy has been adopted by the Milborne St Andrew Village Hall through the Board of Trustees who remain responsible for its review.**

### Aims

Milborne St Andrew Village Hall aims to deal effectively and quickly with any identified malpractice within its work

### Objectives

1. To give information about legislation as related to the Public Interest Disclosure Act of 1988 known as The 'Whistleblowing Act'
2. To give guidance to the Village Hall Committee members about how to deal with deal with information which raises concerns about malpractices.
3. To give guidance as to possible actions that should be taken if malpractice is disclosed.

### Purpose and Scope

The Public Interest Disclosure Act 1998 (The 'Whistleblowing' Act) gives significant protection to employees, volunteers and contractors who disclose information reasonably and responsibly in the public interest. The Act encourages people to raise concerns about malpractice in the workplace by providing protection from dismissal and victimisation.

### Statement of Intent

1. Milborne St Andrew Village Hall considers that a culture of openness which whistleblowing encourages should:-
  - deter wrongdoing
  - pick up potential problems early
  - enable critical information to get to the people who need to know and can address the issue
  - demonstrate to partners, regulators and the courts that they are accountable and well managed
  - reduce the risk of anonymous and malicious comments
  - minimize costs and compensation from accidents, investigations, litigation and regulatory inspections

MAKING A DIFFERENCE

- maintain and enhance the reputation of Milborne St Andrew Village Hall.
2. A disclosure qualifies for protection if, in the reasonable belief of the individual, it relates to:

- a criminal offence
- a failure to comply with a legal obligation
- a miscarriage of justice
- the endangering of an individual's health and safety
- damage to the environment
- deliberate concealment of information relating to any of the above.

For example, the types of issues that can be raised under this policy include:

- any unlawful act, whether criminal (e.g. theft of money from Milborne St Andrew Village Hall) or a breach of the civil law (e.g. slander or libel of the work of another charity)
- misadministration (e.g. the deliberate misreporting of performance data to funders or the Charity Commission, neglectful advice to a hall user, etc.)
- health and safety risks, including risks to the public as well as other employees, volunteers or users of the facilities (e.g. faulty electrical equipment)
- fraud and corruption (e.g. fraudulent funding applications, an adviser soliciting gifts/rewards to undertake work on behalf of an organisation)
- abuse of power (e.g. bullying/harassment)
- other unethical conduct.

Please note that this is not a comprehensive list but is intended to illustrate the sorts of issues which can be raised under this policy.

3. Milborne St Andrew Village Hall encourages its employees, volunteers and facility users to use this procedure to raise any worries regarding any of the above issues as early as possible. However, employees, volunteers and facility users, employees should be aware that they are not under any legal obligation to report a crime unless it involves terrorism.
4. In order to benefit from the protection of the legislation the whistleblower has to make the disclosure in good faith and have a reasonable suspicion that malpractice has occurred, is occurring or is likely to occur.
5. Employees, volunteers and facility users who raise genuine concerns will not be at risk of suffering adverse repercussions because of their actions and, wherever possible, confidentiality and the interests of the employees concerned will be protected. However, an employees, volunteers and facility users who maliciously raises a matter under this procedure that they know is untrue or who does not act in good faith may be subject to disciplinary action.
6. Milborne St Andrew Village Hall will not tolerate any harassment or victimisation of a 'whistleblower' and any such action will be regarded as a serious disciplinary offence to be dealt.
7. If an employee, volunteer and facility user is aggrieved about their own personal position and/or their concern does not fall into one of the categories listed above, the employee, volunteer or facility user may be able to raise a grievance under the Milborne St Andrew Village Hall Grievance Procedure instead.

Milborne St Andrew Village Hall will ensure all employees, volunteers and regular hall users are made aware of this policy.

## **Procedure**

### **Concerns raised internally**

- Any concerns falling within the scope of this policy should be raised orally, or preferably in writing, giving the history of the concern, as much detail as possible (including all

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relevant dates, where appropriate) about the issue and outlining any particular concerns about the situation.

- In the first instance, employees will ideally feel they are able to raise the concern with their line manager. If an employee feels unable to do this the concern should be raised with the appropriate Trustee or ultimately, the Milborne St Andrew Village Hall Chair.
- Where the employee wishes to have their identity protected, their name will not generally be disclosed without their consent. However, it is acknowledged that in some cases it will not be possible to resolve the concern without revealing their identity and if the seriousness of the situation indicates that action must be taken it may not be possible to protect the identity of the individual concerned.
- The concern will be thoroughly investigated as quickly as is reasonably possible by an appropriate person. Where the employee is required to attend meetings during the investigation, whenever practical and reasonable, they will have the right to be accompanied by a colleague or Trade Union representative.
- Where it is considered appropriate, the matters raised may be referred to external authorities to investigate i.e. the police, or auditors.
- Employees will be kept informed of the progress of their concern. The outcome of the investigation will be confirmed in writing as soon as is reasonably possible.
- Milborne St Andrew Village Hall will ensure that the employee who has reported their concern has any appropriate support during and after the investigation.
- Staff are advised to read the Whistleblowing Policy in conjunction with those covering Disciplinary issues and Grievances.

## **Raising concerns with external bodies**

Milborne St Andrew Village Hall hopes that employees will feel reassured and able to raise issues through its own internal procedure. However, Milborne St Andrew Village Hall does recognise and accept that there may be circumstances where an employee can report matters to an outside body, such as financial auditors or the police, if they wish to or if they are unhappy with the outcome of the internal process.

Provided the matter is raised in good faith and it is reasonable in the circumstances to disclose it to an external authority no disciplinary sanctions will result. This policy takes precedence over the confidentiality policy in this respect however the disclosure should only be to the extent necessary to deal with this issue in question.

Written October 2016

Reviewed September 2020