



## **Action Community Enterprises CIC (ACE)**

### **Whistleblowing Policy and Procedure**



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## Whistleblowing policy and procedure

At Action Community Enterprises (ACE) the Board of Directors is committed to high standards in all aspects of the organisation and will treat whistleblowing as a serious matter. In line with our commitment to openness, probity and accountability, members of staff are encouraged to report concerns which will be taken seriously, investigated and appropriate action taken in response.

### Aims

This policy aims to:

- Give confidence to members of staff about raising concerns about conduct or practice which is potentially illegal, corrupt, improper, unsafe or unethical or which amounts to malpractice or is inconsistent with ACE's standards and policies so that s/he is encouraged to act on those concerns.
- Provide members of staff with avenues to raise concerns.
- Ensure that members of staff receive a response to the concerns they have raised and feedback on any action taken.
- Offer assurance that members of staff are protected from reprisals or victimisation for whistleblowing action undertaken in good faith.

### Principles

This procedure applies to everyone who works for Action Community Enterprises (ACE) whether on a paid or voluntary basis.

The aim of this procedure is to provide a clear and transparent way for anyone who works for ACE to raise genuine concerns about acts of wrongdoing or malpractice in the workplace. It aims to ensure that any concerns are dealt with effectively and in a timely fashion.

This procedure provides managers with steps to deal with allegations, ensuring that staff and volunteers are not penalised for raising genuine concerns, even if those concerns prove to be unfounded. It also provides the means for taking disciplinary action against anyone who is found to have raised false concerns with malicious intent.

This procedure **does not** apply when there are child protection concerns or allegations about a member of staff or volunteer. Concerns or allegations of this nature should be dealt with by following the safeguarding children policy and procedures.

## Whistle-blowing Procedure

### How to raise a concern about malpractice

Speak to your line manager or another colleague (preferably someone you work with closely). If your concern relates to your line manager, you should speak to that person's manager. If you choose to speak to a colleague, he/she may nominate another responsible manager to handle your concern.

Your manager, or the responsible manager, will arrange to meet with you as soon as possible to discuss your concern. This meeting can take place away from the workplace if necessary.

You will be told at the meeting, or as soon as possible afterwards, what action will be taken to address your concern. It may not be possible to tell you the full details of the outcome, as this could relate to confidential third party information. If no action is to be taken in relation to your concern, you will also be informed of this fact and given the reasons why.

If you do not want the person you have concerns about to know your identity, you should make this clear to the responsible manager at the earliest opportunity. Every effort will be made to respect your wishes, but it cannot be guaranteed that your identity will not be disclosed. If this is the case, you will be informed and any issues you may have about this will be discussed with you.

If you need support in raising your concern, you may bring a work colleague or trade union representative with you to the meeting with the responsible manager.

### What to do if someone raises a concern with you about malpractice

If someone tells you they are concerned about the actions of another staff member or volunteer, you should arrange to meet him/her as soon as possible. If you are not the person's supervisor/manager, you should establish why he/she has chosen to discuss the concern with you. You may suggest that the person speaks to another responsible manager if you wish, but you should not refuse to hear what the person has to say.

You should approach the situation sensitively, recognising the discomfort that the person may feel. Offer to meet him/her away from the office if he/she wishes, and allow him/her to bring a work colleague or trade union representative to the meeting.

If the person reporting the concern wants his/her identity to be kept confidential, you should explain that this will be done if possible, but that it may not be achievable. Make notes of your discussions with the individual, and check the accuracy of your notes with him/her.

### Deciding what action to take

Once you have established the nature of the concern, it may be of a relatively minor nature and you may decide to resolve it informally.

If the concern appears more serious, you must consider first whether any immediate action is needed to protect children. If so, you should refer to the Safeguarding Policy to consider what action to take.

You should also consider whether there is a need to involve the police and/or other statutory services. If so, you should contact The CEO to discuss the matter further.

## Action Community Enterprises CIC

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If you are not the manager of the person who is the subject of the concern, you should refer the matter to the person's manager, who will decide what action to take.

## Conducting an investigation

Unless the matter is relatively minor and can be dealt with informally, the responsible manager should arrange for an investigation to be completed as swiftly as possible. The investigation should be demonstrably thorough and impartial.

The scope of the investigation will be determined by the nature of the concern. Witnesses may need to be interviewed and records may need to be scrutinised. It is also possible that advice may be needed from someone with specialist knowledge in human resources.

Once the investigation is completed, a report should be produced summarising the nature of the concern, the investigation process and the outcome, including specific recommendations. Take measures to preserve the anonymity of the person who raised the concern if this has been his/her wish. If the concerns are not upheld, this should also be made clear.

If the concern is upheld and the person at the centre of it is found to have been culpable or remiss in some way, the report's recommendations should be carried out using a clear plan of action. The plan may include the use of disciplinary action, training, coaching, counselling, the implementation of new policies or procedures for the whole workforce, or a referral to the Independent Safeguarding Authority.

If it becomes apparent during the course of the investigation that a criminal offence may have been committed, the police should be informed. Your own investigation may have to be suspended on police advice, if they decide that they need to become involved.

The person who raised the concern should be informed of the outcome, but not the details of any disciplinary action. It may be appropriate for the person who raised the concern to be offered support or counselling.

If the concern is unfounded and the person who raised it is found, through the process of investigation, to have acted maliciously or out of a desire for personal gain, it may be appropriate to consider disciplinary action against him/her.

## Recording the concerns

The responsible manager should make accurate notes of each stage of the process, including the discussions during meetings, regardless of whether the concern is dealt with formally or informally.

Copies of notes should be given to the person who is the subject of the concern. The person who raised the concern should also be given copies of notes from his/her discussion.

Notes made during the investigation and the report of the investigation, together with any notes relating to the outcome, should be kept on the file of the person at the centre of the concern. If it was requested, these notes should not reveal the identity of the person who reported the concerns.