Camphill Wakefield

Whistleblowing Policy

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Camphill Wakefield

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V1	Helen Kain	26.06.23	Policy written by Helen Kain. **Approved by the Board of Trustees – 28.06.23**
V2	Deborah Archer	19.06.24	**Frequency of review changed from annually to every three years**

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Introduction

Our employees will often be the first to notice if there is something seriously wrong within their workplace. Sometimes it may seem difficult to speak up because of feelings of disloyalty or because of a fear of harassment or victimisation.

We expect the highest standards of behaviour and all employees have a responsibility to voice any concerns they have, normally with their line manager.

This Whistleblowing Policy is independent and confidential. It can be anonymous if you wish. We will make sure that you will not be victimised or suffer disadvantage if you report your genuine concerns.

It allows employees to bring to the attention of those who can make a difference any practice which they believe or suspect:

- is unlawful.
- is a serious breach of the organisation's policies, procedures and rules (for example safeguarding responsibilities).
- falls substantially below established standards of practice.
- amounts to improper conduct.

It is difficult to come up with a complete list of issues which might cause concern, but you should report known or strongly suspected fraud, corruption, bribery, theft or financial irregularities; the physical, mental or sexual abuse of students/residents; unfair discrimination; abuse of power; dangerous practices; criminal conduct; serious damage to the environment; negligence; unprofessional behaviour and evasion of statutory responsibilities.

The malpractice might be carried out by employees, contractors, consultants or by members of the trustee board.

This procedure is not to be used if you are generally dissatisfied at work or as a replacement to your existing employment rights. If you make any allegations maliciously or for personal gain, you may be disciplined.

What is a whistleblower?

You are a whistleblower if you are an employee and you report certain types of wrongdoing. This will usually be something you've seen at work, though not always.

The wrongdoing you disclose must be in the public interest. This means it must affect others, eg the general public.

As a whistleblower you are protected by law. You shouldn't be treated unfairly or lose your job because you 'blow the whistle.'

You can raise your concern at any time about an incident that happened in the past, is happening now or you believe will happen in the near future.

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Who is protected by law?

You are protected if you are a worker, eg

- an employee,
- a trainee, such as a student or apprentice,
- an agency worker

Get independent advice if you are not sure you are protected, eg from Citizens' Advice.
A confidentiality clause or 'gagging clause' in a settlement agreement isn't valid if you are a whistleblower.

Complaints that count as whistleblowing

You are protected by law if you report any of the following:

- a criminal offence, eg fraud.
- someone's health and safety is in danger.
- risk or actual damage to the environment.
- a miscarriage of justice.
- the company is breaking the law, eg doesn't have the right insurance.
- you believe someone is covering up wrongdoing.
- a child or children are at risk of harm.

Complaints that don't count as whistleblowing

Personal grievances (e.g. bullying, harassment, discrimination) aren't covered by whistleblowing law, unless your particular case is in the public interest. Report these under your employer's grievance policy.

How to raise a concern

a) Through the CEO or Chair of the Trustees
Normally you should first speak to the CEO. But if you feel that you can't do this, for example if you believe that they are involved then you should speak to your Chair of Trustees.

b) Through your trade union or a councillor
You may find it helpful at this stage to contact your trade union representative, or you might prefer to contact a councillor, or someone who you trust to advocate on your behalf.

How your concerns will be dealt with

All allegations will be investigated. How and by whom depends on how serious they are and who they involve. The investigation may be handled internally, or referred to an external agency such as the police or an external auditor.

If you raise your concerns under this policy then we will write to you within 10 working days saying:

- what we intend to do.
- how long we think this will take.
- whether any more information is required from you.

- We will let you know the outcome of the investigation, so that you can see that the matter has been properly addressed.

This Whistleblowing Policy has been drawn up so that you can have your concerns dealt with properly, independently and confidentially. But if you have no faith in this process, then you may consider contacting:

- the police – phone 101 from any phone.
- Protect – an independent authority on whistleblowing at protect-advice.org.uk or phone 020 7404 6609.
- There are a number of other organisations to which whistleblowing concerns may be raised without any breach of the statutory guidelines and with whom you retain full protection. To see if you are a protected person see: https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribedpeople-and-bodies--2

Camphill Wakefield employees have a responsibility not to undertake any action which might bring the organisation into disrepute. If you do decide to report your concerns outside the organisation, you must ensure that you have a good reason for doing so and you must not disclose confidential information.

Review

This policy will be reviewed every three years.