**7.1 Whistleblowing**

**7.1.1** The Charity seeks at all times to conduct its business with the highest standards of integrity and honesty. We expect all people who work for us to maintain the same standards in everything they do. Employees are therefore encouraged to report any wrongdoing by the Charity or anyone working for the Charity that falls short of these fundamental business principles.

The Charity recognises that employees may not always feel comfortable about discussing their concerns internally, especially if they believe that the Charity itself is responsible for the wrongdoing. The aim of this procedure is to ensure that employees are confident that they can raise any matter of concern with the Charity in the knowledge that it will be taken seriously, dealt with efficiently and regarded as confidential. No employee shall be penalised for raising a genuine concern.

The procedure is open to all individuals who are involved in the business of the Charity, whether they are employees, contractors, trainees, agency staff or homeworkers.

**7.1.2** If you have a genuine concern that there are reasonable grounds for believing that:

* a criminal offence has been committed, is being committed or is likely to be committed;
* a person has failed, is failing or is likely to fail to comply with any legal obligation to which he is subject;
* a miscarriage of justice has occurred, is occurring or is likely to occur;
* the health and safety of any individual has been, is being or is likely to be endangered;
* the environment has been, is being or is likely to be damaged; or
* information tending to show that any of the above are being or are likely to be deliberately concealed, you should follow the procedures outlined below.

**7.1.3** If the malpractice about which you are concerned relates to the conduct of the Charity’s business or is the legal responsibility of the Charity, you should disclose the matter to one of the Trustees who will act as the Assessor.

The Assessor with whom you deal will ensure that, so far as practicable, your concern is dealt with in confidence. Your identity will not be expressly revealed to anyone else without your prior permission. Anonymous allegations will not fall within the scope of this procedure. In order not to jeopardise the investigation into the alleged malpractice, you too will be expected to keep confidential the fact that you have raised a concern, the nature of the concern and the identity of those involved. Disciplinary action may be taken against you if you fail to keep these matters confidential.

There may be circumstances in which your involvement as the discloser of the matter will be essential to the investigation into alleged malpractice. If it is necessary for you to participate in an investigation, the fact that you made the original disclosure will, so far as is possible, remain confidential, although clearly there is a risk that this could become apparent during the course of the investigation.

The Assessor will, normally within 3 working day of your raising the issue with her/him, send a written acknowledgement to your home address, confirming that your concern has been noted, and detailing the action to be taken to investigate the matter. You will be kept informed during the investigation and will be notified of its conclusions.

In each case, the Assessor will need to decide by reference to their skills, experience and availability whether they are able to conduct the investigation or whether they require the assistance of another appropriate Trustee to conduct the investigation either alone or together with them.

If the investigation concludes that your concern is unfounded, no action will be taken and your identity will so far as is possible remain confidential, unless in the course of the investigation, it becomes apparent that you did not raise the concern in good faith, in which case you will be subject to disciplinary action, and your name will be revealed to those involved in the disciplinary process.

**7.1.4** If you are unhappy about the speed or conduct of the investigation or the way in which the matter has been resolved, you should refer your concerns to the Head of Administration who will act as the Overseer of this policy.

When the Overseer has investigated your complaint, they will tell you the result of their investigation and what, if any, action has been taken.

**7.1.5** In law, if the malpractice about which a Charity employee is concerned relates solely or mainly to the conduct of, or is the legal responsibility of, a person other than a Charity employee, then the Charity employee should approach that other person, rather than report the matter internally.

However, the Charity is willing to accept responsibility to make this approach on behalf of its employees if, after investigation, the Assessor agrees with a Charity employee’s concerns.

**7.1.6** The Charity undertakes that no employee who makes a bona fide report under this procedure will be subjected to any detriment as a result. In the event that you believe that you are being subjected to a detriment by any person within the Charity as a result of your decision to invoke the procedure you must inform either one of the Assessors or Overseers immediately and appropriate action will be taken to protect you from any reprisals.

Any employee of the Charity who victimises or retaliates against another member of staff for raising a concern under these procedures will be subject to disciplinary action.

If you believe or have been subjected to detriment by a customer of the Charity, we will make every effort to investigate and remedy this.

**7.1.7** The Charity is keen to hear of any concerns that employees may have about wrongdoing at work and encourages them to use the procedure described above wherever possible.

**7.1.8** The Charity recognises there may be matters that cannot be dealt with internally in respect of which external authorities will need to become involved. Where this is necessary, the Charity reserves the right to make such a referral without your consent.

**7.1.9** Employees can report concerns to OSCR, the Scottish Charity Regulator if:

1. they feel uncomfortable or lack confidence using the internal procedure, or
2. they have used the internal procedure but are concerned about the response they have received, or if they have not had a response at all.

OSCR’s guidance on whistleblowing can be found here:

<https://www.oscr.org.uk/media/2713/2015-04-27-oscr-whistleblowing-guidance.pdf>

**7.1.10** Another source of advice to you is the National Whistle Blowing helpline, telephone 020 7404 6609. The website address is [www.whistleblowing.org.uk](http://www.whistleblowing.org.uk/).