

# Whistleblowing Policy October 2023

## Policy Aim

It is important that any suspicions of fraud, misconduct or wrongdoing by anyone working on behalf of our charity are reported and properly dealt with. We therefore require 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 to provide protection for workers who raise legitimate concerns about specified matters in the public interest.

The protection of whistleblowers in UK law applies to employees but does not currently apply to unpaid volunteers or others. The North Midlands LGBT Older Peoples Group is committed to the fair treatment of all whistleblowers including those who may be members, trustees, volunteers or others connected to our organisation.

## What is Whistleblowing?

Whistleblowing is when someone raises a concern about a dangerous or illegal activity or other wrongdoing within their organisation. This may include:

- a criminal offence
- a miscarriage of justice
- an act creating risk to health and safety
- an act causing damage to the environment
- bribery, fraud, falsification of financial records
- unauthorised disclosure of confidential information
- a breach of any other legal obligation or regulatory requirement
- the deliberate concealment of any of the above

A whistleblower is a person who raises a genuine concern in good faith relating to any to the above acts who has a reasonable belief that it 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 the charity's responsibility to ensure that an investigation takes place.

Whistleblowing concerns are raised in the public interest, and not necessarily because of something that has directly impacted on you personally. If your concern falls outside the scope of the matters listed above and relates to something that has affected you or someone known to you please use the complaints policy.

## Principles

- Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. Those 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.
- 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 person working with or on behalf of the charity will be victimised for raising a matter under this procedure.
- Maliciously making a false allegation may lead to the removal of the person from further involvement in the charity.
- An instruction to cover up wrongdoing is itself a disciplinary offence. If told not to raise or pursue any concern, you should not agree to remain silent. You should report the matter to the chair of the board of trustees.

## Procedure

In the first instance, any concerns should be raised with the chair of the board of trustees, who will arrange an investigation of the matter. 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.

If an investigation concludes that misconduct has occurred the board of trustees may remove anyone found responsible from further involvement in our charity. Where appropriate regulatory authorities and the police may also be informed

The board of trustees may decide to remove

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. If you are unhappy with the outcome, you can ask the board of trustees to reconsider their decision.

If you reasonably believe that appropriate action has not been taken, you should report the matter to the relevant body. This includes:

- The Charity Commission
- HM Revenue & Customs
- The Health and Safety Executive
- The Environment Agency
- The Serious Fraud Office
- The Pensions Regulator
- The Information Commissioner
- The Financial Conduct Authority
- The Competition and Markets Authority
- The Independent Office for Police Conduct

## Data protection

When an individual makes a disclosure, we will process any personal data collected in accordance with our 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.

Please help us ensure that our organisation operates safely and lawfully by reporting any concerns that you have.

----- End of policy -----

### Version History

25/10/2023	New policy approved by OLGBT board
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