

POLICIES AND PROCEDURES

Whistleblowing Policy

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Purpose of this document

Aspired Futures (AF) encourages a free and open culture in its dealings with its employees. AF recognises that effective and honest communication is essential to ensure safe practice.

This policy is designed to provide guidance to all trustees, staff or volunteers if they feel the need to raise in confidence issues related to the service.

Details of Policy

We encourage all our staff to raise any concerns they have about actions or operations or activities of work colleagues where you reasonably believe them to be inappropriate, unlawful, dishonest or unethical.

Whether or not your disclosure gains the protection of whistleblowing legislation depends on the specific circumstances and nature of the disclosure made. However, to ensure no member of staff is discouraged from raising genuine concerns we confirm that no member of staff will be subject to any detrimental treatment or dismissed because they have come to us to share their concerns, either under this policy or the Grievance Procedure.

If you have genuine concerns about AF as an employer or a work colleague's actions, you have a statutory right to disclose such matters without the fear of victimisation or detriment.

In order for a disclosure to gain statutory protection it must be made in line with public interest and must relate to one of the following matters: -

- A criminal offence
- Failure to comply with any legal obligation
- A miscarriage of justice
- Danger to health and safety of any individual
- Danger to the environment
- Deliberate concealment of any of the above

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To be in the public interest the disclosure should be of interest to members of the public outside the organisation. As such a complaint about treatment towards yourself or the application of a policy which only affects the organisation but does not impact on people outside the organisation would arguably not be in the public interest. However you would be free to raise a grievance in these circumstances.

Making a Disclosure

- Disclosures should be made in writing to the Head of Services, LADO or Chair of Trustees and you should provide as much information and evidence as possible so that the issue can be thoroughly investigated.
- Depending on the circumstances, you may be invited to attend an investigation meeting to which you are entitled to be accompanied by a fellow employee or a trade union representative.
- AF may designate a nominated director to be the Whistleblowing Officer or it may even set up a confidential hotline for employees to make disclosures.
- In some cases, you may reasonably conclude that there is no one internally to whom you can make a disclosure to. You should however have good reasons to reach this conclusion. Where you have reasonably concluded that a disclosure cannot be made internally then it may be appropriate to make a disclosure to any regulating or statutory body e.g. Local Authority Designated Safeguarding officer (LADO) Director of children's services, Health and safety Executive, police.

Confidentiality after a Disclosure

- Given the sensitive nature of such disclosures, AF will do the utmost to ensure confidentiality is maintained however sometimes this is not possible.
- Whilst AF would encourage you to make an open disclosure, anonymous disclosures may be made. However, it may be impossible to investigate or take further action if an anonymous disclosure is made.
- AF would ask that you keep details of your disclosures confidential and not disclose these to anybody outside of AF unless you have provided us with an opportunity to address the problem first.

Disclosure in Bad Faith

- AF encourages genuine concerns to be brought forward and all disclosure should be made in good faith.
- If a disclosure is made in bad faith but in the public interest you may still be protected under law from being subject to dismissal or any detriment but it may impact on any remedy you may seek through the courts.
- If a disclosure is made in bad faith and is also not in the public interest then there is a risk you do not have statutory protection in which case AF may take appropriate disciplinary action if the disclosure was vindictive or deliberately designed to cause harm to the business or its reputation.