

Policy Title:	Whistleblowing Policy
Audience:	All Staff
Policy Date:	May 2017
Policy Revision Date:	May 2020
Policy Location:	N Drive: HR/AllUsers/Policies and Procedures

Overview

- 1.1 This policy applies to all employees, but does not form part of your contract of employment and may be amended at any time. It does not apply to self-employed contractors, consultants, or to agency workers.
- 1.2 It is important to RHSU that any fraud, misconduct or wrongdoing by employees is reported and properly dealt with. The organisation therefore encourages all individuals to raise any concerns that they may have about the conduct of others in the business or the way in which the business is run. This policy sets out the way in which you may raise any concerns that you have and how those concerns will be dealt with.

2. Background

- 2.1 The law provides protection for employees who raise legitimate concerns about specified matters. These are called "qualifying disclosures". A qualifying disclosure is one made in the public interest by an employee who has a reasonable belief that any of the following acts is being, has been or is likely to be committed:

- a criminal offence;
- a miscarriage of justice;
- an act creating risk to health and safety;
- an act causing damage to the environment;
- a breach of any other legal obligation; or
- concealment of any of the above;

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 organisation's responsibility to ensure that an investigation takes place.

- 2.2 If you make such a protected disclosure you have the right not to be dismissed, subjected to any other detriment, or victimised, because you have made a disclosure.

3. Principles

- 3.1 Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. You should be watchful for illegal or unethical conduct and report anything of that nature that you become aware of.
- 3.2 Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation reported back to the individual who raised the issue.
- 3.3 No individual will be victimised for raising a matter under this procedure. This means that your continued employment and opportunities for future promotion or training will not be prejudiced because you have raised a legitimate concern.
- 3.4 Victimisation of an employee for raising a qualified disclosure will be a disciplinary offence.

3.5 If misconduct is discovered as a result of any investigation under this procedure the organisation's disciplinary procedure will be used, in addition to any appropriate external measures.

3.6 Maliciously making a false allegation is a disciplinary offence.

3.7 An instruction to cover up wrongdoing is itself a disciplinary offence. If told not to raise or pursue any concern, even by a person in authority such as a manager, employees should not agree to remain silent. You should report the matter to a senior manager or Trustee.

3.8 This procedure is for disclosures about matters other than a breach of an employee's own contract of employment. If an employee is concerned that their own contract has been, or is likely to be, broken, they should use the RHSU grievance procedure.

4. Procedure

4.1 In the first instance any concerns should be raised with your line manager. If your concern is about your manager, or you do not want to raise it with them for some other reason, you must instead notify a senior manager or the HR Manager.

4.2 An investigation into the matter will be initiated and a report provided to Senior Management or, if applicable, the Board of Trustees to determine the appropriate outcome.

4.3 On conclusion of any investigation, you will be told the outcome of the investigation and what action has been taken or is going to be taken. If no action is to be taken, the reason for this will be explained.

4.4 If you reasonably believe that the appropriate action has not been taken, you should report the matter to the proper authority. The legislation sets out a number of bodies to which qualifying disclosures may be made. These include:

- HM Revenue & Customs;
- the Financial Conduct Authority (formerly the Financial Services Authority);
- the Competition and Markets Authority;
- the Health and Safety Executive;
- the Environment Agency;
- the Independent Police Complaints Commission; and
- the Serious Fraud Office.