

## Whistleblowing Policy



What is 'Whistleblowing?'



Whistleblowing is when you see or hear something that does not seem right at work.



You might see a crime happen.



You might think a crime will happen.



You might think Lewisham Speaking Up's rules are being broken



You might think something dangerous is happening, or is about to happen.



You might think somebody is going to be hurt.



If it happens, you should tell your Manager.



If you cannot tell your Manager,  
you can tell the Director.



If you cannot tell the Director, you  
can tell the Chair of Trustees.

Nobody should make you feel bad  
or scared if you tell. If they do, you  
MUST tell someone.

## Whistleblowing Policy

Whistle blowing is where an employee raises concerns about underhand or illegal practices within the company. The organisation's policy is to operate within the country's laws and regulations, and all employees are expected to co-operate in this by adhering to all laws, regulations, policies and procedures.

Lewisham Speaking Up is committed to maintaining an open culture with the highest standards of honesty and accountability, where employees and volunteers can report any legitimate concerns in confidence. Lewisham Speaking Up takes all malpractice very seriously, and this document sets out the procedure by which employees can report any concerns.

Lewisham Speaking Up offers protection to any employee who honestly and reasonably believes that underhand or illegal practices are taking place. The organisation undertakes to comply with all applicable laws relating to the prohibition of retaliation against good-faith whistle-blowers in line with the Public Interest Disclosure Act 1998 which gives protection to individuals, casual workers, agency workers and contractors who make a qualifying disclosure when they *reasonably believe it is in the public interest* for them to do so.

Assuming the requirements of this policy have been met, Lewisham Speaking Up undertakes to protect the employee from any personal claims and from any victimisation, harassment or bullying occasioned as a result of his or her disclosure. Lewisham Speaking Up also undertakes not to initiate any disciplinary action. The aim is that the career of any employee should not in any way be harmed or hindered as a result of his or her disclosure (whether the item reported proves to be true or not, provided the reporting was carried out in good faith).

Any reprisal or similar action taken against a discloser because he or she has made a protected disclosure under this policy may be regarded as gross misconduct and may result in disciplinary action.

Lewisham Speaking Up would expect all employees to report any of the following:

- a criminal offence
- a failure to comply with a legal obligation
- a miscarriage of justice
- the endangering of an individual's health and safety
- damage to the environment
- deliberate concealment of information relating to any of the above

**Where the nature of a disclosure is not included in the above list, it should be made by way of the company's grievance procedure and not under this whistle blowing policy.**

## Reporting Procedure

In the event an employee has reason to believe that underhand or illegal practices are taking place, the employee is encouraged to make his or her disclosure immediately to either his or her own manager. At Lewisham Speaking Up, this is the Director. Lewisham Speaking Up encourages employees to raise concerns internally in the first instance and feel confident that it will be dealt with properly and that all reasonable steps will be taken to prevent the individual suffering from victimisation. If you don't feel able to raise or resolve a concern with the Director, please contact the member of the Board who has been nominated for this purpose:

Name: Samantha Latouche	Phone: 07930 679525
Email: <a href="mailto:chair@lsup.org.uk">chair@lsup.org.uk</a>	

The Director should report it to the nominated person above, or the employee can report it to them directly. The nominated individual will then investigate the alleged offence in conjunction with another member of the board and any other employees as appropriate. Or the nominated person can ask another member of the board to investigate the alleged offence. When disclosing any concerns, the employee will not be expected to have absolute proof of malpractice, but will need to be able to show the reasons for his or her concern.

It is particularly important in matters concerning the health, safety and welfare of those on our premises (whether employees, contractors or visitors) that anyone, including an elected safety representative, who becomes aware of a hazard (actual or potential) or dangerous occurrence is expressly required to immediately notify the Director before making any other report (e.g. to an outside body) not least so that immediate action can be taken if necessary to deal with the hazard.

Failure to notify Lewisham Speaking Up when reasonably aware or certain of an occurrence included in the list of categories of disclosures above is regarded by the company as misconduct. Failure to notify internally before notifying externally without good cause is also regarded as misconduct. Only if an employee has reasonable grounds for believing that the Director or members of the Board may be involved may contact be made to an outside body in the first instance.

Where requested, Lewisham Speaking Up will keep the identity of the discloser confidential as far as possible. However, in certain circumstances, e.g. if a criminal investigation follows, the employee may be needed as a witness. If this happens, the nominated person will inform the employee at the earliest opportunity.

If the alleged offence is substantiated, appropriate action will be taken. The discloser will be informed of the outcome where reasonably practicable.

If the discloser is unhappy about the outcome of an investigation, he or she should make a further report to the nominated person, and if there is good reason to do so, the concern will be investigated again.

Any deliberate false or malicious allegations will be taken very seriously and appropriate disciplinary action will be taken. Where an employee acts in a malicious way (for example by leaking information to the press), the protection outlined above will not apply and the employee will be subject to disciplinary action which could result in summary dismissal for gross misconduct.

If an employee has a concern and is unsure whether this is the appropriate procedure for raising it, or is unhappy about the final outcome of an investigation, he or she can contact the independent charity, Public Concern at Work, on **0207 404 6609** for independent advice.

The nominated individual will monitor the use and effectiveness of the whistle blowing policy.

## Appendices

Appendix 1: Sample Document – Letter responding to an employee who has complained under a whistleblowing procedure

## 1.0 Sample Document – Letter responding to an employee who has complained under a whistleblowing procedure

[Date]

Dear *[insert name]*

I am in receipt of your letter dated ***[insert date]*** in which you raised an issue of concern regarding ***[insert details]***.

I would like the opportunity to address the matter you have raised using our whistleblowing procedure *[copy enclosed]*. This will involve you attending a meeting to discuss the issue. I have scheduled this to take place on ***[insert date]*** at ***[insert time]*** in ***[insert location]***. Should these arrangements be unsuitable, please contact me to make alternative arrangements.

The meeting will be conducted by ***[insert name]*** and ***[insert name]*** will also be in attendance to act as a witness and note-taker. If you wish, you may be accompanied at the meeting by a work colleague or trade union official. The person accompanying you will be required to ensure that any information gained during the investigation is treated as confidential. Please let me know in advance of the meeting who you wish to bring as a companion.

Yours sincerely

*[insert name]*  
*[insert position]*