Salvation Army Homes
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Whistle Blowing Policy

1. Introduction

1.1 Purpose and Aim

1.1.1 Encompassing the spirit of the PIDA 1998, this policy is to protect members of staff who disclose conduct or neglect of duty, by other members of staff, which is criminal, dangerous or otherwise improper.

1.1.2 This policy is not intended to replace the Grievance Procedure, which should be used if members of staff are concerned about themselves being personally disadvantaged by the action or failure of action by the organisation. Therefore, any complaints about breaches of an employees' own contract of employment should be raised as a grievance.

1.1.3 The term 'whistleblower' is used to describe the staff member who makes such disclosures.

1.1.4 This policy forms part of the organisation's suite of 'governance toolkit' policies and is designed to help deter and detect malpractice.

1.1.5 Whistleblowing, legally, is the term used when a worker passes on information concerning perceived wrongdoing. In this policy, we call that 'making a disclosure' or 'blowing the whistle'. The wrongdoing will typically (although not necessarily) be something they have witnessed at work.

1.2 Context

1.2.1 This policy has been produced in accordance with the Public Interest Disclosure Act 1998 (PIDA) (as updated), which protects employees and workers making disclosures about certain matters of concern (where those disclosures are made in accordance with the provisions of the Act) from dismissal or a detriment short of dismissal. See Appendix 1 for more information about the PIDA.

1.2.2 In adopting the NHF's Code of Governance (2020) for the organisation, the board committed to ensuring that proper arrangements are made for the referral and determination of individual cases raising issues of conflicts, ethics or probity.

These arrangements include a whistleblowing policy to allow all board and committee members and staff to raise issues of serious concern without the fear of reprisal, while maintaining their duty of confidentiality.

1.2.3 It is an organisational Code of Conduct (NHF 2012) requirement (Section A) that we adopt a whistleblowing (confidential reporting) policy and 'response plan'. The 'Conduct Becoming' Code of Conduct (NHF, 2012) (Section M1) for individual board and committee members, staff and involved customers also requires any individual who may become aware of any potentially dishonest or fraudulent activity, or material breaches of the Code of Conduct – by any board or committee member, staff or others – to report it to the 'appropriate senior person' within the organisation using whistleblowing procedures where appropriate.

2. Scope

2.1 The PIDA covers 'employees and workers'. In line with sector best practice, the organisation has chosen to include board and committee members within the scope of its whistleblowing policy. The text of the policy refers to employees (workers). The spirit of the policy applies to board and committee members and involved customers, but as they are not employees, they cannot enjoy the legal protection afforded to workers by the PIDA.

2.2 Involved customers who are not board or committee members are expected to follow the organisation's Complaints Policy and Procedure in the first instance if they wish to raise matters of concern.

2.3 To be covered by whistleblowing law, a worker who makes a disclosure must reasonably believe two things. The first is that they are acting in the public interest. This means in particular that personal grievances and complaints are not usually covered by whistleblowing law. The second thing that a worker must reasonably believe is that the disclosure tends to show past, present or likely future wrongdoing falling into one or more of the following categories:

- criminal offences (this may include, for example, types of financial impropriety such as fraud),
- failure to comply with an obligation set out in law,
- miscarriages of justice,
- endangering of someone's health and safety,
- damage to the environment,
- covering up wrongdoing in the above categories.

2.4 Whistleblowing law (the PIDA 1998) provides the right for a worker to take a case to an employment tribunal if they have been victimised at work or they have lost their job because they have 'blown the whistle'.

2.5 This policy applies to employees and workers in the following categories:

- Employees of the organisation and all its members,
- Agency and contract workers,
- Self-employed contractors,
- Persons on work experience or training within the organisation, either under contract, or as part of a training programme agreed by the organisation,
- Employees of any third-party service provider (contractors, support providers, agency staff etc).

3. Principles

3.1 Statement of Intent

3.1.1 We are committed to the highest standards of quality, probity, openness and accountability. It encourages a free and open culture in its dealings between its officers, employees and all people with whom it engages in business and legal relations. The organisation is committed to act on any allegations of fraud, abuse or malpractice whether the allegations are made from outside or inside the organisation.

3.1.2 This policy is designed to encourage and provide guidance to all those who work with or within the organisation, who feel that they need to raise issues or have serious concerns relating to the organisation and the conduct of its business. As a part of its commitment, the organisation encourages people with serious concerns about any aspect of its work to come forward and express those concerns. In many cases, concerns or complaints will be dealt with through normal procedures, such as the mechanisms for resolving grievances, disciplinary matters, or concerns relating to equal opportunities. However, in some cases, the organisation recognises that employees will need to come forward on a confidential basis. This policy statement is intended to underline the organisation's commitment to its employees that they can do so without fear of reprisal or victimisation; and its support for those who come forward to express their concerns.

3.1.3 All board and committee members and staff will be made aware of this policy and the organisation's Whistleblowing Procedures for making a whistleblowing disclosure during their induction.

3.1.4 The organisation's whistleblowing arrangements meet the requirements of the PIDA1998.

3.2 Objectives

3.2.1 This policy aims to encourage employees (including workers) to feel confident in raising serious concerns and to question and act upon concerns about practice. It will:

3.2.2 Provide the opportunity for employees to raise these concerns and receive feedback on any actions taken.

3.2.3 Ensure that employees receive a response to concerns and that they are aware how to pursue them if they are not satisfied.

3.2.4 Reassure employees that they are protected from possible reprisals or victimisation.

4. Policy Statement

4.1 Protection

4.1.1 Employees and workers disclosing information will be protected if:

- they believe the allegation they are making is true,
- it is not made for personal gain.

4.1.2 The PIDA 1998 provides statutory protection for disclosures, protecting individuals against dismissal, employer reprisals short of dismissal and victimisation as a result of making a disclosure.

4.1.3 An individual may request that their disclosure is dealt with anonymously in accordance with this policy. Every effort will be made to protect an individual's anonymity; however, the individual should be made aware that if anonymity is preserved, this may inhibit the proper investigation of the alleged malpractice and, in particular, where the individual/s may be required as witnesses to take the investigation further.

4.1.4 Individuals must therefore be aware that the organisation will make every effort to protect an individual or group, but this may not be possible in all circumstances, particularly when third party agencies are involved in investigating or taking further action with regards to the alleged malpractice. In such circumstances, the individual will be asked to consent to their identity being revealed and this consent must not be unreasonably withheld, as the organisation will do everything possible to protect the individual/s interest.

4.1.5 In order therefore to encourage workers to make good faith disclosures in confidence and without fear of recrimination, the organisation will take all reasonable steps to try and ensure that

individuals that make disclosures are not victimised, bullied, or otherwise disadvantaged as a result of the disclosure.

4.1.6 The organisation requires management to be open to concerns regarding allegations of malpractice. Victimising, bullying or any other action by an individual/s intending to deter a colleague from making a disclosure, or by way of revenge following a disclosure will be regarded as serious disciplinary offences, as will making false (known to be untrue) and malicious allegations.

4.2 Whistleblowing Procedure

4.2.1 We encourage individuals to raise concerns in the first instance within the organisation. In most cases, employees should be able to raise concerns with their immediate line manager. If this is not possible (for example, if they have concerns about their line manager), employees should speak to or contact:

- the Head of People.
- a member of the Executive Management Team.
- the Chief Executive.
- the Chair of the Audit and Risk Committee

4.2.2 If, for whatever reason, a whistleblower feels they are unable to raise concerns within the organisation, they may contact the organisation's internal or external auditors:

- Beever and Struthers
- CROWE UK LLP

4.2.3 The line manager will arrange an investigation into the matter (either by investigating the matter him/herself or immediately passing the issue to someone in a more senior position). The investigation may involve you and other individuals involved giving a written statement. Your statement will be taken into account, and you will be asked to comment on any additional evidence obtained. The line manager (or the person who carried out the investigation) will then report to the Executive Management Team, which will take any necessary action, including reporting the matter to the organisation's Audit and Risk Committee, the RSH, any appropriate government department or the police.

4.2.4 If any investigation results in disciplinary action being required, the Head of People will ensure that the organisation's normal disciplinary procedure is followed.

4.2.5 If you are concerned that your line manager is involved in the wrongdoing, has failed to make a proper investigation or has failed to report the outcome of the investigations to the Executive Management Team, or for any other reason, you should inform

the Head of People, a member of the Executive Management Team, the Chief Executive, the Chair of the Audit and Risk Committee or the organisation's internal or external auditors (See 7.8.1 and 7.8.2 above). They will arrange for another manager to review the investigation carried out, make any necessary enquiries and make their own report to the Executive Management Team (See 7.8.3 above).

4.2.6 If on conclusion of the organisation's internal procedure, you reasonably believe that the appropriate action has not been taken, you should report the matter to the proper authority. The PIDA sets out a number of 'Prescribed' persons and bodies to which qualifying disclosures may be made. These include:

- Regulator of Social Housing
- Care Quality Commission
- HM Revenue & Customs
- Financial Conduct Authority
- Health and Safety Executive
- Environment Agency
- Director of Public Prosecutions
- Serious Fraud Office

4.2.7 A full list of Prescribed People and Bodies can be accessed at https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2/whistleblowing-list-of-prescribed-people-and-bodies

4.2.8 In following the procedure members of staff have the right to be accompanied by a trade union representative, a colleague or friend.

4.3 Confidentiality

4.3.1 Any data held or collated within the scope of this policy will be handled in accordance with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 and the organisation's Data Protection Policy and Procedures.

4.4 Outcomes

4.4.1 The organisation will seek to keep the 'whistleblower' informed of the investigation processes, proceedings and eventual outcomes.

4.4.2 If the 'whistleblower' is dissatisfied with the outcome they should initially raise the matter with a more senior person as listed in

7.8.1 above. A whistleblower also has recourse to an external independent person. See 7.8.2 above for more information.

4.5 Abuse of the Policy

4.5.1 This policy is not intended for malicious use. Anyone found to be knowingly raising unfounded allegations or consistently using the policy to raise matters of a trivial nature may be liable to investigation under the organisation's Disciplinary Procedure.

4.6 Further Information and Support

4.6.1 Should any board or committee member or staff member wish to seek independent advice whilst they are considering making a disclosure Protect may be able to help.

4.6.2 Protect is a charity which aims to help make whistleblowing work so that dangers, wrongdoing and serious risks that threaten the public good are deterred or at least detected before serious damage is caused. It pursues this aim through its free confidential advice line, the support and services it provides to organisations, its policy work and public education activities.

4.6.3 Through these activities it promotes the role of whistleblowing in furthering organisational accountability, individual responsibility and public confidence.

4.6.4 You can contact Protect as follows:

- Protect advice line: 020 3117 2520 (*option 1)
- General enquiries: 020 3117 2520 (*option 2)
- Fax: 020 7403 8823
- Email: whistle@protect-advice.org.uk
- Web: https://protect-advice.org.uk/

4.6.5 If a whistleblower believes that they have been unfairly treated because they have blown the whistle, they may decide to take their case to an employment tribunal. The process for this would involve attempted resolution through the Advisory, Conciliation and Arbitration Service (ACAS).

4.6.6 You can contact ACAS as follows:

- Website: www.acas.org.uk
- Help Online: via the ACAS website
- Helpline: Telephone: 0300 123 1100
- Helpline: Textphone: 18001 030 0123 1100

4.6.7 The Department for Business, Energy and Industrial Strategy (BEIS) has produced Whistleblowing: Guidance for Employers and Code of Practice (March 2015).

4.7 Monitoring and Reporting

4.7.1 Any allegations, reported either internally or externally, will be confidentially monitored by the **Company Secretary** on behalf of the **Audit and Risk Committee**. The Company Secretary will maintain a confidential register of whistleblowing allegations, investigations and outcomes in line with best practice guidelines, and will report whistleblowing activity to the Audit and Risk Committee in the appropriate way.

4.8 Roles and Responsibilities

4.8.1 The Company Secretary has overall responsibility for the implementation of the policy, and each local manager will have direct responsibility to ensure it is implemented effectively.

4.8.2 The Head of People Services and the Company Secretary jointly responsible for the effective implementation of this policy.

4.8.3 The Audit & Risk Committee has in its Terms of Reference the responsibility to scrutinise reports on all cases of whistleblowing and ensure that appropriate action is taken.

5. Data Protection and Equality Impact

5.1 In developing this policy, we have carried out assessments to ensure that we have considered:

- Equality, Diversity and Inclusion
- Privacy and Data Protection

5.2 To request a copy of these full assessments, please contact the Business Assurance Team at business.assurance@salvationarmyhomes.org.uk.

6. Further information

If you have any questions regarding this policy, please contact your line manager or the Business Assurance Team at business.assurance@salvationarmyhomes.org.uk, who will direct your query to the relevant Policy owner.

7. Legislative and Regulatory Framework

The following legislation, regulatory standards and documents can be relied upon to inform this policy.

Legal Framework	Regulatory Standard	Other documents
		Codes of Governance and Conduct
		Standing Orders
		Financial Regulations
		Anti-Money Laundering Policy
		Bribery Policy
		Fraud Policy
		Probity Policy

Document History Log

Lead Reviewer	Date			Version	Approval	
	Created	Revised	Expiry		By	Date
Company Secretary		March 2025	March 2028	2.4	Board	20/03/2025
BA		November 2026 Updated contact details in s4.2.4	March 2028	2.5	n/a	

Equality Impact Assessment Summary			
Protected characteristic	**Impact** (Positive, negative, neutral)	**Protected characteristic**	**Impact** (Positive, negative, neutral)
Age	Neutral	Disability	Neutral
Sex	Neutral	Race	Neutral
Religion of belief	Neutral	Sexual orientation	Neutral
Gender reassignment	Neutral	Pregnancy / maternity	Neutral
Marriage / civil partnership	Neutral		

Appendix 1

WHISTLEBLOWING POLICY
THE PUBLIC INTEREST DISCLOSURE ACT (PIDA)

1. PIDA inserts a framework of protection into the Employment Rights Act 1996 against detriment or dismissal in connection with 'blowing the whistle' on illegal practices in the workplace. The statutory protection applies to employees and workers, which for these purposes include agency workers and home workers, trainees and contractors. There is no length of service requirement before the protection for these groups begin. Volunteers and the genuinely self-employed are not covered by the law.

2. The PIDA covers 6 categories of wrongdoing. The law states that the employee/worker must have a reasonable belief that one of six situations has occurred, is occurring or is likely to occur and must actually make a disclosure (which could be in writing or verbally and might also include simple handing over information (e.g. a video). The six situations are:

   (i) Criminal activity
   (ii) Miscarriages of justice
   (iii) Danger to health and safety
   (iv) Damage to the environment
   (v) Failure to comply with a legal obligation or regulatory requirements
   (vi) The deliberate concealment of any of the above matters

3. A worker is legally protected for raising a concern with their employer, provided they do so honestly and reasonably. Workers are also legally protected for raising a concern with a 'prescribed person' provided they have some substance to the concern.

4. Apart from their employers and prescribed persons, employers/workers can be protected when they whistleblow to other people, such a specifically identified third parties (such as hotlines set up by their employer); responsible persons (e.g. people who have a legal responsibility for the malpractice such as accountants who see malpractice in a client they are working for); the persons legal adviser and government ministers. Different rules apply to disclosures to these different bodies.

5. Even though the people and the disclosures highlighted above attract legal protection for workers and employees, most whistleblowing policies encourage anyone who needs to whistleblow, protected or not, to do so. The point staff need to be aware of is that only those people and disclosures highlighted above will be protected in law.

   How does the law protect whistleblowers?

6. PIDA protects an employee or worker from detrimental treatment by their employer as a result of raising a concern in good faith. Detrimental treatment

includes dismissal, disciplinary action, threats or other unfavourable treatment in connection with raising a concern. Employers and their staff must also not victimise an employee or worker a result of their disclosures.

7. Victimisation or harassment may take a number of forms, such as denial of promotion or training opportunities which the employer would otherwise have offered. Employees who are protected by the provisions of the PIDA may make a claim for unfair dismissal, the compensation for which, if proven, is unlimited.