Tom Harrison House
"Honour, Hope, Healing"

THH PP38 – Whistleblowing Policy

Purpose

Tom Harrison House is committed to openness, accountability and high standards of conduct.

This policy provides a clear route for workers to raise serious concerns where they believe there may be wrongdoing, unsafe practice, unlawful conduct or another matter which it would be in the public interest to report.

Workers should be able to raise genuine concerns without fear of retaliation or unfair treatment.

Scope

This policy applies to employees, bank and casual staff, volunteers, student placements, agency staff, contractors, sessional workers and others working on behalf of Tom Harrison House.

For the purposes of this policy, all of the above are referred to as workers.

THH will apply the protections and principles of this policy to everyone within its scope. Statutory protection as a protected disclosure depends upon the circumstances of the disclosure and the individual's status under the relevant legislation.

What Is Whistleblowing?

Whistleblowing is the raising of a serious concern about wrongdoing or risk which is in the public interest.

Examples may include criminal activity, fraud or financial malpractice, failure to comply with a legal obligation, serious health and safety concerns, serious safeguarding failures, serious misuse of confidential or personal information, serious professional misconduct, serious unethical behaviour, deliberate concealment of wrongdoing, or attempts to prevent legitimate concerns from being raised.

Whistleblowing is not intended to replace normal arrangements for personal grievances, disagreements about management decisions, ordinary complaints, minor conduct concerns, or matters which can reasonably be dealt with through normal management processes.

Where a worker is unsure whether something should be raised under this policy, they may still raise the concern. Management will determine the appropriate process.

Normal Reporting and Whistleblowing

THH encourages workers to raise ordinary concerns through the normal management route.

The THH Report to Management Form may be used where a worker is comfortable reporting through their Line Manager or another appropriate manager.

However, a worker is not required to use the normal reporting route or THH Report to Management Form where they reasonably believe this would be inappropriate.

This may be the case where the concern involves the Line Manager or senior management, there is a reasonable concern that the matter may be concealed or not dealt with properly, the worker fears retaliation, or there is another reasonable reason why the normal reporting route is unsuitable.

How to Raise a Whistleblowing Concern

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A concern may be raised verbally or in writing.

The worker should provide as much factual information as they reasonably can, including what the concern is, who is involved, when and where relevant events occurred, any supporting information or evidence, whether the concern has already been raised elsewhere, and whether there is any immediate risk.

Workers are not expected to investigate the matter themselves before reporting it.

The concern should be raised honestly and on the basis of information the worker reasonably believes to be relevant.

Reporting Route

The normal whistleblowing route is: Concern → CEO.

Where the concern involves the CEO, or where reporting to the CEO would otherwise be inappropriate: Concern → Chair of Trustees.

Where the concern involves the Chair of Trustees, or where reporting to the Chair would otherwise be inappropriate: Concern → another nominated Trustee.

The person receiving the concern must ensure that it is considered by someone who is sufficiently independent of the matters raised.

Immediate Risk or Criminal Matters

Where a concern involves immediate danger, suspected criminal activity or serious risk, appropriate urgent action must not be delayed while the internal whistleblowing process is followed.

This may include contacting emergency services, Police, Local Authority safeguarding services or another appropriate statutory authority.

The worker should inform an appropriate THH senior person as soon as reasonably practicable where it is safe and appropriate to do so.

Response to a Whistleblowing Concern

The person receiving the concern is responsible for ensuring that the concern is acknowledged, any immediate risk is considered, conflicts of interest are identified, an appropriate person is appointed to review or investigate the concern, confidentiality is maintained as far as reasonably possible, the concern is recorded securely, the worker is kept informed where appropriate, and any required action or external notification is considered.

The person who is the subject of the concern must not control the investigation or decision-making process.

Investigation

Not every concern will require a full formal investigation.

The level of review will depend on the nature and seriousness of the matter.

Where an investigation is required, the investigating person should be sufficiently independent and should seek to establish the facts fairly and proportionately.

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The investigation may include reviewing relevant records, speaking to the person raising the concern, speaking to witnesses, speaking to the person or persons whose conduct is in question, and seeking external advice where necessary.

The investigation should avoid unnecessary delay.

Confidentiality

THH will treat whistleblowing concerns sensitively.

The identity of the person raising the concern will be kept confidential as far as reasonably possible.

However, absolute confidentiality cannot always be guaranteed. There may be circumstances where the identity of the worker becomes apparent through the investigation, disclosure is required by law, the concern cannot be properly investigated without identifying the source, or the worker is required to provide evidence.

Where possible, the worker should be informed before their identity is disclosed.

Anonymous Concerns

Workers are encouraged to identify themselves when raising concerns because this can make it easier to investigate and seek clarification.

However, anonymous concerns may still be considered.

The extent to which an anonymous concern can be investigated will depend on the seriousness of the matter, the information available, the credibility of the concern, and whether the information can be verified independently.

Anonymous concerns should not be automatically disregarded.

Protection From Retaliation

A worker who raises a genuine concern under this policy should not be subjected to retaliation, victimisation, harassment or disadvantage because they have raised the concern.

Any worker who believes they have suffered retaliation after raising a concern should report this to the CEO, Chair of Trustees, or another appropriate Trustee where necessary.

Retaliation against someone who has raised a legitimate concern may itself result in disciplinary or other appropriate action.

Unsubstantiated Concerns

A worker will not be criticised or penalised simply because a genuinely raised concern is not substantiated after investigation.

The fact that an investigation does not confirm a concern does not mean it was wrong to raise it.

However, deliberately making a false allegation or knowingly providing false information may result in disciplinary or other appropriate action.

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External Reporting

A worker may in some circumstances make a disclosure to an appropriate prescribed person or body where the legal requirements are met. The body chosen must be relevant to the subject of the concern.

Examples of relevant regulators or prescribed bodies may include the Care Quality Commission, Health and Safety Executive, Charity Commission or Information Commissioner's Office, depending on the subject matter.

Nothing in this policy prevents anyone contacting Police or emergency services where a crime, immediate danger or other urgent matter requires it.

Nothing in this policy is intended to prevent a worker from making a protected disclosure to an appropriate prescribed body where they are legally entitled to do so.

Outcome and Feedback

Where appropriate and lawful, the worker who raised the concern should be informed when the concern has been received, a decision has been made about how it will be handled, the investigation has been completed, and any general action has been taken as a result.

There may be limits on the information which can be provided because of confidentiality, data protection, employment or legal considerations.

Record Keeping

Whistleblowing concerns and associated records must be stored securely.

Access should be limited to those who need the information for the purpose of reviewing, investigating or managing the concern.

Records should include the concern raised, who received it, decisions about how it would be handled, investigation or review undertaken, actions taken, and the outcome.

Responsibilities

All workers are responsible for raising serious concerns where appropriate and for cooperating honestly with any investigation.

Managers must not discourage or obstruct legitimate whistleblowing concerns.

The CEO has responsibility for ensuring that whistleblowing concerns are appropriately managed unless the concern involves the CEO.

The Chair of Trustees has responsibility where the concern involves the CEO or where referral to the Chair is otherwise appropriate.

Where the concern involves the Chair, another suitable Trustee must take responsibility for ensuring that the matter is dealt with independently.

Monitoring and Review

The Trustees will retain oversight of the effectiveness of THH's whistleblowing arrangements.

The policy will be reviewed annually, or sooner where legislation, guidance, organisational arrangements or experience indicate that an earlier review is required.

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