

Saffron Walden



WHISTLE-BLOWER POLICY

This policy has been adopted by Saffron Walden Mencap Society through its Trustees Committee which remains responsible for its review.

Original signed version is kept at the SWMS Registered office.

Signed: *Patrick Draper* Date: 4th March 2024

Chair of Trustees

Reviews - March 2025

Next Review - September 2025

WHISTLE-BLOWING POLICY

Introduction

Saffron Walden Mencap Society is committed to the highest standards of openness, integrity, and accountability. We expect all employees, volunteers & trustees, to observe and demonstrate the highest standards of personal ethics. This policy aims to encourage anyone to raise concerns or disclose information which an individual believes to be fraudulent, criminal or results in malpractice.

Purpose & Scope

Saffron Walden Mencap Society has a duty of care to allow staff, volunteers or members to disclose information in confidence so that appropriate action can be taken to remedy the situation. This policy reflects the respect paid to staff and volunteers where a confidential and/or difficult disclosure is made. We want to positively encourage people to report malpractice, fraudulent or criminal activity without fear of victimisation or present or future repercussion. We recognise that whistle-blowers play a vital role in promoting transparency and accountability, and their protection is essential for a just and ethical society.

What is whistle-blowing?

The legal definition of whistle-blowing is a disclosure of information that, in the reasonable belief of the whistle-blower, is made in the public interest and tends to show that

- A criminal offence has, is or is likely to be committed;
- A person has, is or is likely to fail to comply with any legal obligation;
- A miscarriage of justice has, is, or is likely to occur;
- The health or safety of any individual has, is, or is likely to be endangered;
- The environment has, is, or is likely to be damaged; or
- Information falling within any of the above paragraphs has, or is likely to be deliberately concealed.

How to report.

The Chair of Trustees for Saffron Walden Mencap Society, Patrick Draper, is the Designated Person for dealing with all matters relating to whistle-blowing.

If you have any concern which you wish to raise under this procedure, you should raise it with him unless the concern is about him in which case you should contact Jane Bailey. The contact details of both can be found in a later section of this document.

You may raise the matter in person, by email, by telephone or in writing addressed to the Chair of Trustees or alternatively Jane Bailey as the case may be. Any written correspondence posted should be clearly marked "Strictly Private & Confidential", giving in all cases details of your concern and the reasons for it.

Where possible, details of concerns should include the background and history of the concern, and relevant names, dates and places. You are encouraged to give your name in raising a concern.

Anonymity vs Confidentiality

Concerns raised anonymously will be treated seriously but may be difficult to substantiate (prove) without the ability to gather information directly. If in raising a concern, you wish your identity to remain confidential, your wish will be taken into account. However, if your concern cannot be effectively progressed and properly dealt with on the basis of keeping your identity confidential, whether and how to proceed will be discussed with you before any action is taken which may otherwise identify you.

How we will deal with the matter.

Your allegation will be dealt with in a proper and appropriate way, depending on its nature, and within a reasonable timescale. It may be necessary to carry out an investigation, including making further enquiries, carrying out interviews, holding meetings or seeking advice. Criminal allegations, or allegations which involve abuse of any kind will be referred to the relevant authorities for investigation. You may be asked to attend a meeting to discuss the matter. You may also be asked to give evidence in disciplinary or legal proceedings. All appropriate records will be kept of all relevant actions in dealing with your concern.

The outcome

You will be given feedback on how your concern is being dealt with and the outcome of the matter. If you are dissatisfied with the outcome of the matter or if you have genuine concerns that the matter has not been dealt with in a proper way, you may wish to seek advice on contacting a relevant external regulator, see further below.

Legal protection for whistle-blowers

Public interest disclosure (whistle-blowing) legislation gives protection against unfair dismissal and being subjected to any other detriment by an employer in respect of

“qualifying disclosures” (whistle-blowing allegations). You may wish to seek more detailed advice on this, see further below. In the unlikely event of a whistle-blowing allegation being undoubtedly made maliciously then this will be treated as gross misconduct and dealt with in accordance with Saffron Walden Mencap Society’s disciplinary or volunteer policies.

- Saffron Walden Mencap Society will keep you informed of progress with a mutually agreed procedure for updates.
- Saffron Walden Mencap Society trustees will review all actual cases of whistle-blowing (without disclosure of whistle-blower’s names) in order to make sure that this policy is being implemented fully.

Contact details

Designated Person -

Patrick Draper

22, Landscape View Saffron Walden CB11 4AU

07974 - 306917

Deputy - Jane Bailey 07900 032203

If you would like independent advice in relation to whistle-blowing, you may wish to contact the independent charity, Protect, see protect-advice.org.uk Their helpline number is 020 3117 2520.