



## WHISTLE-BLOWING POLICY

### 1. INTRODUCTION

- 1.1 The Community Foundation serving Tyne & Wear and Northumberland (the Foundation) is committed to enabling trustees, volunteers and staff to report concerns about any perceived or actual malpractice at an early stage and in an appropriate way.

### 2. PURPOSE AND SCOPE

- 2.1 The purpose of this policy is to provide trustees, volunteers and employees who wish to report any malpractice at the Foundation falling under 'qualifying disclosures' with the assurance that, subject to the claim being made in good faith and without malice, they will be protected against suffering any detriment for making such a disclosure.
- 2.2 The policy is focused on malpractice where the interests of others or of the organisation itself may be at risk. Employees who wish to raise concerns about their own employment should follow the grievance policy. Matters may also be raised by third parties through the Foundation's publicly available complaints procedure.

### 3. DEFINITIONS

- 3.1 Genuine whistleblowing usually involves concerns about unlawful conduct, financial malpractice or dangers to the public. If an employee is to be protected, a disclosure must be one covered by the Public Interest Disclosure Act. A **qualifying disclosure** is one which, in the reasonable belief of the employee, shows one or more of the following:
- a criminal offence has been committed, is being committed, or is likely to be committed;
  - a person has failed, is failing, or is likely to fail to comply with a particular legal obligation
  - a miscarriage of justice has occurred, is occurring, or is likely to occur
  - the health or safety of any individual has been, is being, or is likely to be endangered
  - the environment has been, is being, or is likely to be damaged
  - information indicating the occurrence of any of the above has been, is being, or is likely to be deliberately concealed.

### 4. PRINCIPLES

- 4.1 Employees who raise a genuine concern under this policy will not be at risk of losing their job or suffering any form of retribution. Provided they are acting in good faith, it does not matter if they are mistaken. This does not apply to anyone who maliciously raises a matter they know is untrue.
- 4.2 The Foundation will not tolerate the harassment or victimisation of anyone raising a

genuine concern. However, we recognise that individuals may nonetheless want to raise a concern in confidence. If an individual raising a concern under this policy asks for their identity to be protected, we will make all reasonable endeavours not disclose it without their consent. If a situation arises where the Foundation is unable to resolve the concern without revealing the individual's identity (for instance because evidence is needed in court), we will discuss with them whether and how to proceed.

- 4.3 While the Foundation will consider anonymous reports, in such cases it is much more difficult to look into the matter, protect the individual's position and provide feedback.

## **5. RESPONSIBILITY FOR IMPLEMENTING THE POLICY**

- 4.4 Following notification of a concern, the Foundation will look into it to assess what action if any should be taken. This may involve an internal inquiry and/or a formal investigation by the police or regulatory bodies. We will tell the individual raising the concern the name of the person handling the matter, how they can be contacted and whether further assistance may be needed. If requested, we will write to the individual summarising their concern and setting out how we propose to handle it.

- 4.5 Individuals raising concerns may be asked how they think it could be resolved. If the individual has a personal interest in the matter, we will ask that it is disclosed at the outset. If we think the concern falls more properly within our Grievance Policy, we will advise them accordingly.

- 4.6 While the purpose of this policy is to enable us to investigate possible malpractice and take appropriate steps to deal with it, we will give as much feedback as we properly can. If requested, we will confirm our response to the individual raising the concern in writing. However, we may not be able to reveal the precise action taken if doing so would infringe a duty of confidence owed by us to someone else.

## **6. PROCESSES FOR RAISING CONCERNS**

### ***Internal***

- 6.1 Step one: anyone with a concern about malpractice is encouraged to raise it first with their line manager in person or in writing.
- 6.2 Step two: if the person feels unable to raise the matter with their line manager, for whatever reason, they may raise the matter with one of the following:
- Rob Williamson, Chief Executive
  - Sonia Waugh, Chief Finance and Operating Officer
  - Sandra King, Chief Philanthropy Officer
- 6.3 Step three: if these channels have been followed and the individual still has concerns, or if they feel that the matter is so serious that they cannot discuss it with any of the above, they may contact the Chair or the Deputy Chair of the Board.

### ***External***

6.4 Provided they are acting in good faith, and have evidence to back up any concern, individuals may also contact the Foundation's regulatory body, the Charity Commission for England & Wales, PO Box 1199, Liverpool L69 3UT, telephone: 0151 703 1610 or email [whistleblowing@charitycommission.gov.uk](mailto:whistleblowing@charitycommission.gov.uk). Concerns regarding fundraising practices can be reported to the Fundraising Regulator, 2nd floor, CAN Mezzanine Building, 49-51 East Road, London, N1 6AH, telephone 0300 9993407. [www.fundraisingregulator.org.uk/complaints/make-complaint](http://www.fundraisingregulator.org.uk/complaints/make-complaint)

### ***Independent advice***

6.5 Individuals who wish to obtain independent advice about whether to raise a concern or about a concern that has already been raised may contact:

- their trade union if applicable or Citizens Advice, or
- the independent charity Protect ([www.pcaw.org.uk/](http://www.pcaw.org.uk/)) on 0800 055 7214 which gives free confidential advice about raising issues of serious malpractice at work.

## **7. MONITORING AND REVIEW**

7.1 The Foundation will monitor the effectiveness of this policy regularly to ensure its suitability, adequacy and effectiveness. Any improvements identified will be made as soon as possible. The policy will be reviewed by the Board every three years.

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