



Survivors'
Network

Survivors' Network Whistleblowing Policy

Key Contact: CEO

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Whistleblowing Policy

Survivors' Network is committed to the highest standards of openness, probity and accountabilities.

An important aspect of accountability and openness is a mechanism to enable all employees, volunteers and service users of the organisation to voice concerns in a responsible and effective manner. Survivors' Network is very clear about the importance and scope of confidentiality within the organisations. Nevertheless, where an individual discovers information which they believe shows a serious malpractice or wrongdoing within Survivors' Network then this information should be disclosed internally without fear of reprisal, and there should be arrangements to enable this to be done independently of either the CEO or Management Committee should one of these parties be the subject of the concern.

The Public Interest Disclosure Act gives legal protection to employees and volunteers against being dismissed or penalised by their employers as a result of publicly disclosing certain serious concerns. Survivors' Network has endorsed the provisions set out below so as to ensure that no employee, volunteer or service user should feel at a disadvantage in raising legitimate concerns.

This policy is intended to cover concerns which are in the public interest and may at least initially be investigated separately but might then lead to the invocation of other procedures e.g. disciplinary. These concerns could include:

- Financial malpractice or impropriety
- Failure to comply with a legal obligation
- Dangers to Health and Safety or the environment
- Criminal activity
- Improper conduct or unethical behaviour including issues of child and vulnerable adult protection
- Attempts to conceal any of these

It should be emphasised that this policy is intended to assist individuals who believe they have discovered malpractice or impropriety. It is not designed to question financial, business or strategic decisions taken by Survivors' Network nor should it be used to reconsider any matters which have already been addressed under harassment, complaint, disciplinary or other procedures. It is reasonable to expect staff, volunteers and service users to use the whistleblowing procedures rather than air their concerns outside the organisation.

This policy is designed to offer protection to those employees, volunteers and service users of Survivors' Network who disclose such concerns provided the disclosure is made:

- In good faith
- In the reasonable belief of the individual making the disclosure that it tends to show malpractice or impropriety and if they make the disclosure to an appropriate person (see below).

It is important to note that no protection from internal disciplinary procedures is offered to those who choose not to use the procedure. In an extreme case malicious or wild allegations could give rise to legal action on the part of the persons complained about.

Confidentiality

Survivors' Network will treat all such disclosures in a confidential and sensitive manner. The identity of the individual making the allegation may be kept confidential so long as it does not hinder or frustrate any investigation. However, the investigation process may reveal the source of the information and the individual making the disclosure may need to provide a statement as part of the evidence required.

Anonymous Allegations

This policy encourages individuals to put their name to any disclosures they make. Concerns expressed anonymously are much less credible, but they may be considered at the discretion of Survivors' Network.

In exercising this discretion, the factors to be taken into account will include:

- The seriousness of the issues raised
- The credibility of the concern
- The likelihood of confirming the allegation from attributable sources

Untrue allegations

If an individual makes an allegation in good faith, which is not confirmed by subsequent investigation, no action will be taken against that individual. In making a disclosure, the individual should exercise due care to ensure the accuracy of the information. If, however, an individual makes malicious or vexatious allegations, and, in particular, persist with making them, disciplinary action may be taken against that individual.

Procedures for making a disclosure

On receipt of a complaint of malpractice, the member of staff who receives and takes note of the complaint must pass this information as soon as is reasonable possible, to the appropriate designated investigating officer, as follows:

- Complaints of malpractice will be investigated by the CEO unless the complaint is against the CEO or is in any way related to the actions of the CEO. In such cases, the complaint should be passed to the Survivors' Network Chair of Trustees for referral.
- In the case of a complaint which is in any way connected with but not against the CEO, the Chair will nominate a member of the Management Committee to act as the alternative investigating officer
- Complaints against the Chair should be passed to the CEO who will nominate an appropriate investigating officer from the Management Committee
- The complainant has the right to bypass the management structure and take their complaint directly to the Chair. The Chair has the right to refer the complaint back to the CEO if they feel that the CEO, without any conflict of interest, can more appropriately investigate the complaint.
- Complaints about the whole of the Management Committee, or where an individual does not believe that a complaint could be fairly investigated by a member of the current board should be directed to the Charity Commission.

If there is evidence of criminal activity then the investigating officer should inform the police. Survivors' Network will ensure that any internal investigation does not hinder a formal police investigation.

Timescales

Due to the varied nature of these sorts of complaints, which may involve internal investigators and/or the police, it is not possible to lay down precise timescales for such investigations. The investigating officer should, as soon as practically possible, send a written acknowledgement of the concern to the complainant and thereafter report back to them in writing the outcome of the investigation and the action that is proposed. If the investigation is a prolonged one, the investigating officer should keep the complainant informed, in writing, as to the progress of the investigation and as to when it is likely to be concluded.

All responses to the complainant should be in writing and sent to their home address.

Investigating Procedure

The investigating officer should follow these steps:

- Full details and clarifications of the complaint should be obtained in the consultation with the staff involved.
- The member of staff or volunteer will be informed of their right to be accompanied by a representative at any future interview or hearing held under the provision of these procedures.
- The investigating officer should consider the involvement of the Police at this stage and should consult with the Management Committee.
- The allegations should be fully investigated by the investigating officer with the assistance where appropriate of other individuals/bodies.
- A judgement concerning the complaint and validity of the complaint will be made by the investigating officer. This judgement will be detailed in a written report containing the findings of the investigations and reasons for the judgment. The report will be passed to the CEO or Chair of Trustees as appropriate.
- The CEO or Chair of Trustees will decide on what action to take. If the complaint is shown to be justified then they will invoke the disciplinary or other appropriate Survivors' Network procedures.
- The complainant should be kept informed of the progress of the investigations and, if appropriate, of the final outcome
- If appropriate, a copy of the outcomes will be passed to the Management Committee to enable a review of the procedures

If the complainant is not satisfied that their concern is being properly dealt with by the investigating officer, they have the right to raise it in confidence with the CEO or Chair, or a member of the Management Committee.

If the investigation finds the allegations unsubstantiated and all internal procedures have been exhausted, but the complainant is not satisfied with the outcomes of the investigation, Survivors' Network recognises the lawful rights of all employees, volunteers, former employees and service users to make disclosures to prescribed persons (such as Health and Safety Executive or the Charity Commission) or, where justified, elsewhere.