

## Whistle-blowing Policy

This Whistleblowing Policy is designed to provide a mechanism to enable employees to voice concerns in a responsible and effective manner. It is a fundamental term of every contract of employment that an employee will not disclose confidential information about the employer's affairs. Nevertheless, where an employee discovers information which they believe shows serious malpractice or wrongdoing within the organisation then this information should be disclosed internally without fear of reprisal, and this policy provides the arrangements to enable this to be done independently of line management. The policy is intended to assist individuals who believe they have discovered malpractice or impropriety. It is not designed to question financial or business decisions taken by the Company.

Individual grievances or incidents of harassment or discrimination etc can be effectively addressed under the relevant existing grievance policies and procedures. The following are examples of matters, which may be raised under this policy by any employee with a genuine belief that the disclosure will show:

- that a criminal offence has been committed, is being committed or is likely to be committed. This may include issues such as suspected fraud, financial irregularities, theft, bribery, corruption, dishonesty, involvement in or being party to criminal activities.
- that a person is failing, has failed or is likely to fail to comply with a legal obligation to which he/she is subject
- that a miscarriage of justice has occurred, is occurring or is likely to occur
- that the health & safety of any individual or groups has been, is being or is likely to be damaged. This must be a greater danger than is associated with the normal use of any processes or products, which can be addressed under normal Health & Safety procedures.
- that there is or has been a deliberate concealing of matters falling within the scope of issues listed, or that matters are likely to be deliberately concealed.

The Trust is firmly committed to maintaining the highest ethical standards in all its activities. It regards impropriety and malpractice as serious matters and seeks to prevent them arising. Where genuine concerns do arise, we seek to ensure there are appropriate processes in place, which will allow any employee to raise them in a proper manner and in good faith and which ensures the issues are addressed.

Management of the Trust take seriously the need to operate in a climate of openness, in which any member of staff can raise legitimate concerns without fear of reprisal. Management will also seek to ensure that the highest standards of conduct are observed and to this end, will develop, maintain and communicate relevant policies and procedures across the business. It has to be clearly understood that genuine and legitimate concerns about malpractice will be treated seriously.

Employees raising genuine concerns about impropriety or malpractice in accordance with this policy will not face any detrimental consequences nor will they be subject to harassment or victimisation.

This policy is intended to help everyone act in the Trust's best interest and to establish the Trust's commitment to attaining high standards of conduct and integrity. All staff and Management are assured that it is both safe and acceptable to raise legitimate concerns under this procedure. This includes genuine concerns that upon investigation are found to be without grounds. However, any malicious, knowingly false or deliberately misleading allegations will be treated as serious misconduct and may result in dismissal.

### **Whistleblowing Procedures**

These procedures cover the disclosures made by an employee relative to suspected allegations of fraud, financial irregularities, corruption, bribery, dishonesty, involvement in or being party to criminal activities including modern slavery, active discrimination, failing to comply with a legal obligation, a miscarriage of justice, creating or ignoring a serious risk to health and safety. No employee will be disciplined for raising a concern so long as he/she has followed this procedure, has acted in good faith and not for personal gain or out of personal motive. Using these procedures knowingly to make false or malicious allegations will be regarded as serious misconduct and may lead to dismissal.

The procedures cannot be used by employees for raising routine grievances about their personal employment situation. The specific policies and procedures for dealing with these matters are available from line managers and/or HR.

Matters raised under this procedure will be treated in strictest confidence and will be investigated discreetly. The nature of allegations and name(s) of those allegedly implicated will not be made public. All managers and employees have an obligation to observe this confidentiality. Breaches of this confidentiality will be viewed as serious misconduct and may result in dismissal.

Although it cannot be absolutely guaranteed in every circumstance, all efforts will be made to preserve the anonymity of the person raising concerns or making allegations. Anonymous allegations will not be investigated under the procedures as the standard of evidence will be insufficient.

### **What you should do**

In the first instance you should raise your concerns with your line manager. If this is not possible because of potential involvement, or it has been raised and the issue has not been addressed, or due to the severity of the issue it should be escalated to a higher level, by contacting the Chief Executive. Again, if this is not possible for the reasons noted the following procedure should be used.

An employee who has a legitimate concern about malpractice, which falls within the scope of this procedure, should raise the matter via the dedicated Whistleblowing email address (noted below). This is managed by a board member outside the management or executive team of the Trust.

It will normally be required that the allegation is made by email or in writing. Receipt of the complaint will be acknowledged by email, where an email address is provided, or writing to the employee's home address within 72 hours.

Depending on the nature of the complaint a designated senior executive or member of the Board will arrange for an appropriate investigation to be carried out and will do so discreetly and as speedily as circumstances permit. The employee raising the concern will be kept advised of the progress of the investigation and likely timescale for completion.

The designated manager or board member will keep the employee advised of the outcome of the investigation and any proposed action. In the event of serious malpractice, information will be passed to the relevant person (Senior Manager, Chief Executive, Chair Person) and may also be passed to the relevant official bodies (police, tax, environmental health, etc.).

*Whistleblowing email: [whistleblowing@ercultureandleisure.org](mailto:whistleblowing@ercultureandleisure.org)*

### **Investigation Conclusion**

The “whistleblower” will be advised as to the outcome of the investigation, such outcomes will be communicated subject to protecting the right of confidentiality to any individual or groups who have had action taken against them.