

WHISTLE- BLOWING POLICY

APPROVED BY: THE BOARD OF TRUSTEES

LAST REVIEWED: 24 NOVEMBER 2022
NEXT REVIEW: 24 NOVEMBER 2023

Contents

1. SCOPE.....	3
2. POLICY	3
3. ROLES AND RESPONSIBILITIES	4
4. RELATED DOCUMENTS.....	5
Appendix 1: Qualifying Disclosure.....	6
Appendix 2: Whistleblowing – Disclosure Form	7

1. SCOPE

We want all employees and stakeholders to feel safe raising concerns about unacceptable practice and misconduct: this policy helps you do so. We recognise this can take courage and confidence: we are committed to supporting you throughout the process.

The policy applies to everyone associated with Being the Cure (BTC), including employees, Trustees, volunteers, consultants, contractors and employees or representatives of partner organisations. It reflects the UK Public Interest Disclosure Act (PIDA) 1998 (the Act), which protects workers from dismissal or 'detrimental treatment' if they make a protected Qualifying Disclosure (see Appendix 1).

The Policy is not designed for questioning business decisions, for employment grievances, or other aspects of the working relationship.

2. POLICY

If you discover information which you believe to show malpractice or wrongdoing in the Trust, you should disclose it as soon as possible via the most appropriate of the following channels:

Your line manager.

A trusted senior person of your choice (potentially the CEO or a Trustee).

Your Designated Safeguarding Lead (DSL) if the concern relates to safeguarding

A Disclosure Form is provided in Appendix 2 to help you report your concern.

If you believe what you are saying is true, you should have no concerns in disclosing because you are doing your duty to your employer and those for whom you provide a service. The CEO and trustees will support you throughout the process. If you suffer any harassment or victimisation you should tell the CEO or the person with whom you raised the initial concern. An investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary or redundancy procedures that may already affect an employee.

You are encouraged to put your name to your concern wherever possible. Anonymous concerns are less effective but will still be considered, taking into account factors such

as seriousness, credibility and the likelihood of confirming the allegation from other attributable sources.

Disclosures will by default be handled in confidence. If it becomes necessary to reveal your identity you will be consulted first. Where an allegation is particularly serious it may be necessary to take protective action and / or refer the matter to the police. If you raise a concern in good faith that is then not confirmed by investigation, the case will be closed and remain confidential.

An allegation made frivolously, maliciously or for personal gain will result in appropriate action, including disciplinary action.

If you need to report a safeguarding concern involving a child or adult, please refer to the Safeguarding Policy. All safeguarding concerns must be promptly reported to the DSL or the CEO if the concern relates to the DSL.

If you believe a disclosure is not being handled effectively, please contact the Chair of the Trustees or a Safeguarding Link trustee. If after that you still believe BTC has not dealt with a concern properly you should contact one of the prescribed bodies under the Act (see Appendix 1).

3. ROLES AND RESPONSIBILITIES

All staff and anyone disclosing is responsible for reading this policy, making disclosures in good faith, and attending related meetings where necessary.

The CEO and Trustees are responsible for accepting disclosures in confidence, providing support to the Discloser.

The CEO and Trustees are responsible for ensuring that Disclosers and witnesses receive appropriate support; concerns are escalated as appropriate; and for participating in investigations as required.

The CEO (or Trustee if the disclosure is about the CEO) is responsible for convening a team to assess and investigate a disclosure; providing advice on a disclosure; deciding on the involvement of outside agencies (including the police); sourcing legal advice as required; and escalating to Trustees where appropriate.



4. RELATED DOCUMENTS

Regulatory Public Interest Disclosure Act (PIDA) 1998
Being the Cure's Safeguarding and Child Protection Policy

Appendix 1: Qualifying Disclosure

Under the Act, a Qualifying Disclosure is a disclosure that you reasonably believe one of the following matters is either happening now, took place in the past, or is likely to happen in the future. The Act provides protection for workers who raise a Qualifying Disclosures.

Examples include:

- a criminal offence;
- the breach of a legal obligation;
- a miscarriage of justice;
- a danger to the health and safety of any individual, including a safeguarding matter;
- damage to the environment;
- a conflict of interest;
- deliberate concealment of information tending to show any of the above matters.

A Qualifying Disclosure will be 'protected' provided you:

- make the disclosure in good faith; and
- reasonably believe that the information disclosed, and any allegation is substantially true.

Where a Qualifying Disclosure is not dealt with properly by the charity, the Act identifies the following prescribed bodies that can be contacted as appropriate:

- HM Revenue & Customs
- the Financial Conduct Authority
- the Competition and Markets Authority
- the Health and Safety Executive
- the Environment Agency
- the Independent Office for Police Conduct or
- the Serious Fraud Office

Appendix 2: Whistleblowing – Disclosure Form

[BTC DIGITAL FORM AVAILABLE ON THE WEBSITE:](#)

1. Your name
2. Your email
3. Date of disclosure
4. Does this disclosure relate to your line manager? Yes / No
5. Summary of Disclosure
 - a. Describe your concern. Give examples, including where possible dates / times, locations.
 - b. Give names and contact details of people involved in your concerns, including witnesses.
 - c. How you would like to see the issue dealt with/ how you believe this will resolve the issue.
6. Declaration
 - a. I confirm the above statements are true to the best of my knowledge and belief. I understand that if I knowingly make false allegations BTC may take disciplinary action against me.