The Canddo Project CIC 

**Whistleblowing Policy**

**Introduction**

Employees may as part of their work come into contact with information of a confidential nature. Their terms and conditions provide that except in the proper performance of their duties, employees are forbidden from disclosing, or making use of in any form whatsoever, such confidential information.

However, the law allows employees to make a ‘protected disclosure’ of certain information. In order to be ‘protected’, a disclosure must relate to a specific subject matter and the disclosure must also be made in an appropriate way. Whistleblowing protection is confined to a disclosure which, in the reasonable belief of the employee making the disclosure, is made in the public interest.

**Purpose of the policy**

The purpose of this policy is to prevent malpractice by the organisation, its employees, agents and partners by advising staff how to raise concerns with the organisation’s management or, if necessary, with its auditors or sponsoring department.

All organisations face the risk of things going wrong or of unknowingly harbouring malpractice. We have a duty to identify and take measures to remedy all malpractice particularly with regard to issues of fraud and corruption.

We promote a culture of openness within our organisation and we want to encourage you to raise issues which concern you at work. We recognise, however, that you may be worried that by reporting such issues you will be opening yourself up to victimisation, detriment or risking your job security. Such fears are understandable, this policy is therefore designed to provide you with information about the protections offered by the Public Interest Disclosure Act 1998 (PIDA) as well as the process to use to raise your concerns. This policy does not form part of your employment contract, and we may update it at any time.

**Whistleblowing Definitions**

If, in the course of employment, an employee becomes aware of information which they reasonably believe tends to show one or more of the following, they must use the Company’s disclosure procedure set out below:

* That a criminal offence has been committed is being committed or is likely to be committed.
* That a person has failed, is failing or is likely to fail to comply with any legal obligation to which he is subject.
* That a miscarriage of justice that has occurred, is occurring, or is likely to occur.
* That the health or safety of any individual has been, is being, or is likely to be, endangered.
* That the environment has been, is being, or is likely to be, damaged.
* That information tending to show any of the above, is being, or is likely to be, deliberately concealed.
* That the business or any associated person has been, is being, or is likely to be receiving or offering bribes.
* That any official has been, is being, or is likely to be bribed or offered facilitation payment by the company or any associated person**.**

**Grievances and Complaints**

It is not intended that this policy be a substitute for, or an alternative to formal complaints or grievances. There are separate policies for these. It is designed to nurture an environment which makes it safe and acceptable for employees and volunteers to raise, in good faith, a concern they may have about malpractice and misconduct.

**Protection**

If the policy is used to raise a concern in good faith you can be reassured that you will not suffer any form of retribution, victimisation or detriment as a result of your actions. In addition, the PIDA may provide you with legal protection in relation to your disclosures if you raise your concerns in accordance with that Act.

We will do our best to ensure confidentiality, but where we feel we won’t be able to we will discuss this with you first. If we feel that we need to reveal your identify in order to assist in the investigation we will let you know. So whilst we will consider anonymous reports, this procedure may not be appropriate for concerns that are raised anonymously. It will also be more difficult for you to demonstrate your protections under PIDA where there is no evidence that it is you who has made the disclosure.

**Disclosure Procedure**

* Information which an employee reasonably believes tends to show one or more of the above should promptly be disclosed to the Line Manager so that any appropriate action can be taken. This conversation will be recorded, read & signed by both parties. The matter will then be investigated.
* If you feel unable to tell your line manager you should raise the issue with the next tier of management. If you feel that the people within the organisation with whom you would normally raise the issue are parties to, or supportive of, the behaviour causing concern, you should raise the issue with a board member or trustee.
* At whatever level you raise the issue, you should declare whether you have a personal interest in the issue at the outset. If your concern falls more properly within the grievance procedure your manager will tell you.
* Employees will suffer no detriment of any sort for making such a disclosure in accordance with this procedure.
* However, failure to follow this procedure may result in the disclosure of information losing its ‘protected status.’
* For further guidance in relation to this matter or concerning the use of the disclosure procedure generally, employees should speak in confidence to the Line Manager

**Responding to whistleblowing**

After you have raised your concern the usual next step if to make internal enquires, but it may be necessary to carry out an investigation at a later stage which may be formal or informal. We will endeavour to keep you informed of our investigations but not if this may impact on our duty of confidentiality to others.

**Raising your concern externally**

If you feel you cannot raise your concerns internally then PIDA may in exceptional cases afford you protection in relation to your disclosure but only if you are acting in good faith and if you honestly and reasonably believe that your allegations are true