Leaders Unlocked Whistleblowing Policy

Policy statement

Leaders Unlocked is committed to achieving the highest possible ethical standards in all of our practices. We strive to be open, honest and accountable. To achieve this, we encourage a free and open culture for everyone involved in the organisation, including our staff, directors and any volunteers.

This policy aims to help individuals at Leaders Unlocked to raise any serious concerns they may have about colleagues or their employer, with confidence and without having to worry about being victimised, discriminated against or disadvantaged as a result.

Definition and scope

This policy is written in the context of the Public Interest Disclosure Act (PIDA) 1998[1], which protects employees who 'blow the whistle' on malpractices within their organization, by making disclosures about certain matters of concern, where those disclosures are made in accordance with the PIDA's provisions. These concerns could include:

- Abuse, malpractice or ill treatment of a colleague or project participant by a member of staff
- Criminal activity
- Financial malpractice or impropriety or fraud
- Failure to comply with a legal obligation (e.g. Safeguarding or Health and Safety legislation)
- Improper conduct or unethical behaviour
- Attempts to conceal any of these.

The above list is not exhaustive, but as it indicates, this policy is intended to cover concerns that are in the public interest.

Leaders Unlocked also has a set of policies and procedures that we use to ensure high standards of conduct and working practices, including fair and consistent treatment of all Leaders Unlocked employees. These include our:

- Grievance procedure
- Disciplinary procedure
- Safeguarding policy and procedure

[1] https://www.legislation.gov.uk/ukpga/1998/23/contents

- Complaints procedure
- Health and Safety policy and procedure
- Bullying and harassment policy
- Staff Code of Conduct

This whistleblowing policy is not a replacement or alternative for any of the above. Instead, it is intended to be used to assist individuals who believe they have discovered serious malpractice or impropriety, and who cannot take their concerns to their manager or managers, because they have good reason to believe their manager(s) is/are implicated in this malpractice or impropriety. In this situation, the whistleblowing policy enables employees to raise those concerns internally and at a high level and to disclose information internally without fear of reprisal.

This policy applies to all staff, volunteers and directors.

Procedure for making a disclosure

Leaders Unlocked staff should raise concerns with the Chief Executive Officer (CEO), Rose Dowling, in the first instance. You should request a conversation with the CEO, which will be confidential at this stage, to set out the area of concern.

You can email the concern to the CEO at rose@leaders-unlocked.org

If your concern is connected with or against the CEO, or if the CEO is uncontactable, you should contact the Leaders Unlocked Board of Directors at board@leaders-unlocked.org

In any case, you have the right to bypass the CEO and take your whistleblowing concern to the Chair. However, please note that the Chair has the right to refer the concern back to the CEO, if she feels that the CEO, without any conflict of interest, can more appropriately investigate the disclosure.

If your concern is connected with or against the Chair, raise it with the CEO. The CEO will approach the other Board members, who will decide on how the investigation will proceed. This may include an external investigation.

Investigation procedure

Once you have raised a concern, this will need to be investigated. For an internal investigation, the CEO will either investigate the concern herself, or appoint an investigator.

At the outset of the investigation, the investigator will ask you whether you want to make a written or verbal statement about the issue you are raising, or whether you prefer the investigator to write a summary of the interview. If you prefer to keep your identity

confidential, you may request for the investigator to write a summary that does not reveal your identity (however, please note the guidance below under 'Protecting individuals who raise concerns'). The investigator should ensure that you have provided full details of your concern and any clarifications as necessary.

Due to the varied nature of these sorts of complaints, which may involve internal investigators and/or the police, it is not possible to set exact timescales for such investigations. However, the investigator should ensure that all internal investigations are undertaken as promptly as possible, without affecting the quality or thoroughness of such investigation.

Where there is evidence of criminal activity, the investigator should inform the police. We will ensure that any ongoing internal investigation does not hinder a formal police investigation.

If the investigation is prolonged (i.e. several months), the CEO/investigator should keep you updated, in writing, on the progress of the investigation and where possible, tell you when it is likely to be concluded.

If the CEO has appointed an investigator, they will then report their findings back to the CEO so that the CEO can determine the appropriate course of action. At this point, the CEO should report back to you, in writing, to tell you the outcome of the investigation, and the action they propose to take (but not necessarily details of any disciplinary action, which may remain confidential to the individual concerned).

All written updates should be sent to you by letter to your home address unless otherwise agreed.

If at any point during the investigation, you are not satisfied that the investigator is investigating your concern properly, you can raise this, in confidence with the CEO (or, if the CEO is also the investigator), the Board of Directors.

If, at the end of the process – once you have exhausted the internal procedures – you are not satisfied with the outcome of the investigation, we recognise employees' and ex-employees' lawful right to make external disclosures to prescribed persons (e.g. the Health and Safety Executive, the ICO, the police).

You may also wish to seek advice from an independent organisation (see 'Resources' below).

Protecting individuals who raise concerns

We will treat all concerns sensitively and confidentially. If you wish to keep your identity confidential, we will seek to do this, however, there may be instances where it is difficult to properly investigate your concern without revealing the source of the information being investigated.

This policy is intended to protect employees who raise concerns:

- In good faith
- In the reasonable belief that their disclosure is a concern in the public interest
- Exercising due care and attention to ensure the accuracy of the information provided.
- To the appropriate person, as set out above.

In these circumstances, Leaders Unlocked will take appropriate action to protect you from any victimisation, harassment, discrimination, bullying or disadvantage as a result of you raising the concern.

It is not necessary for individuals who raise a concern to prove the wrongdoing that is alleged to have occurred or is likely to occur. If you raise a concern in good faith, then regardless of the outcome of the investigation, no action will be taken against you.

If an individual knowingly, maliciously or vexatiously makes an untrue allegation, this may constitute gross misconduct and Leaders Unlocked may take appropriate disciplinary action against them. Further, please note that in an extreme case, malicious allegations against another individual could give rise to legal action instigated by that individual.

Leaders Unlocked encourages individuals to put their name to the disclosures they make, as concerns expressed anonymously are generally less credible. However, anonymous disclosures may be investigated at the discretion of Leaders Unlocked. In exercising this discretion, we will consider the seriousness of the concerns you have raised, their credibility, and the likelihood of being able to confirm the allegations from attributable sources.

Resources

For more information and advice on whistleblowing and related legislation visit Protect at https://protect-advice.org.uk/

If you need independent advice about a whistleblowing issue you can telephone Protect's free and confidential advice line on 020 3117 2520