

# WHISTLEBLOWING POLICY

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## 1. Introduction

EASE is committed to delivering high quality services and expects high standards from its employees and providers. In order to maintain those high standards a culture of openness and accountability is vitally important. The aims of this policy are threefold: -

- To encourage clients to raise concerns about malpractice within the organisation without fear of reprisal
- To reassure clients that their concerns will be taken seriously
- To provide information about how to raise concerns and explain how the EASE will respond

## 2. Scope of The Policy

This policy applies to all EASE clients engaged by the organisation.

## 3. What Is Whistle Blowing?

In practical terms, whistle blowing occurs when a concern is raised about danger or illegality that affects others., e.g., staff, Trustees, service users, members of the public or other partner agencies. As the person blowing the whistle you would not usually be directly affected by the danger or illegality. Consequently, you would rarely have a personal interest in the outcome of any investigation into your concerns. This is different from a complaint or grievance. If you make a complaint or lodge a grievance, you are saying that you personally have been poorly treated. This poor treatment could involve a breach of your individual rights or bullying and you are entitled to seek redress for yourself.

## 4. Blowing the Whistle on Malpractice

Malpractice covers a wide range of concerns. The types of activity that should be disclosed include but are not limited to the following: -

- Fraud or corruption
- Financial maladministration
- Unauthorised use of public funds
- The physical, emotional or sexual abuse of users of the services
- Failure to comply with legal obligations
- Endangering of an individual's health and safety
- Damage to the environment
- A criminal offence
- Failure to follow financial and contract procedure rules
- Showing undue favour to a contractor or a job applicant
- Miscarriages of justice
- Deliberate concealment of information relating to any of the above

You should raise your concerns with the Manager as soon as you suspect malpractice. Remember that the earlier you raise concerns the easier it will be to take action. You (the whistleblower) are a witness to events, not a complainant and so you do not need to wait for proof of malpractice before raising concerns.

When reporting a concern, you should provide as much information and detail as possible. In particular you should provide the full names of the people involved or who know about what is happening, including the names of person/people involved, dates of events and any relevant documentation. This will help the investigator to focus their investigation on the main issues quickly.

Initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. You will be advised whether an investigation takes place or not.

## **5. Confidentiality**

EASE understands that you may be reluctant to come forward with information about the wrongdoing by staff, Trustees, service users, members of the public or other partner agencies. As such, the organisation recognises that whistleblowers may wish to raise concerns in confidence. If you (the whistleblower) make a request for the matter to be kept confidential then your identity will not be revealed without discussing the matter with you first.

## **6. Anonymous Allegations**

You are encouraged to give your name when raising concerns. A concern expressed anonymously is much less powerful and is often more difficult to investigate. When making this decision, they will take into account the seriousness of the issues raised, the credibility of what is being said and the likelihood of confirming the allegation from other sources.

## **7. Protection for The Whistleblower**

All concerns raised under this procedure will be treated seriously and a decision made about whether or not an investigation is appropriate. Depending upon the nature of the matter it may be referred to the external auditor or the police. The person to whom you reported your concern will be responsible for keeping you informed about the progress of the investigation and the action which has been taken, although you may not be told the outcome. In some cases, the investigation may result in criminal or disciplinary proceedings. If this happens you may be invited to give a written statement or give evidence at a hearing. The organisation will support you in this process and ensure that you are clear about what will happen.

The organisation will not tolerate harassment or victimisation and will take action to protect you if you have raised a concern in good faith.

## **8. Allegations Not Made in Good Faith**

Concerns that are raised frivolously, maliciously, for personal gain or where they are known to be untrue may result in disciplinary action or. In the case of such a matter, appropriate action will have to be taken by management.

## **9. Blowing the Whistle Outside EASE**

In certain circumstances, it may be appropriate to raise concerns outside EASE to the appropriate 'prescribed regulator'. This should only be done where you are raising a genuine concern in good faith and where you believe the information is true, i.e. more than just suspicion. You are advised to discuss your concerns with the management of EASE before reporting them to an external regulator.

Examples of prescribed regulators are set out below:

- The Audit Commission
- The Standards Board for England
- Information Commissioner
- Environment Agency
- Health and Safety Executive
- Commissioner of the Inland Revenue
- General Social Care Council
- The Commission for Social Care Inspection
- National Care Standards Commission

As a last resort, you may choose to raise your concern outside EASE to someone other than a prescribed regulator, e.g. to the police or your MP. You should only do this if, in addition to the conditions above, they meet one of three preconditions.

Provided the disclosure is reasonable in all the circumstances and is not made for personal gain, the preconditions are that you:

- Reasonably believed that you would be victimised if you raised the matter internally within the organisation
- Reasonably believed that the matter would be 'covered up' and there is no prescribed regulator; or
- You have already raised the matter internally or with a prescribed regulator

## **10. Complaints, Grievances and Members**

This policy should not be confused with other policies that exist for dealing with complaints or grievances (see also paragraph 3). Grievances should be directed to the right prescribed regulator as shown above.

### **Policy Implementation:**

- The Manager is responsible for the implementation of this policy and conducting regular reviews.
- All staff are made aware of this policy as part of their induction, reviews, and training.
- All clients are made aware of this policy and are encouraged to follow the guidelines.
- Partner agencies are made aware of this policy and support its implementation where appropriate

### **Arrangements for complaint:**

These are defined in the EASE Complaints, Comments & Compliments Policy

### **Policy Review**

This Policy will be reviewed annually or earlier if an update is deemed necessary due to legislation or best practice.

This policy was reviewed and approved by the Trustees on 6.7.22

Next policy review date 6.7.24

