

Whistleblowing Policy

This document is relevant to:	
Staff	✓

Purpose

Dorset Mind is committed to being open, honest and accountable. It encourages a free and open culture in its dealings between the Board of Trustees, staff and volunteers.

This policy aims to help staff 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 in any way as a result.

It is written in the context of the Public Interest Disclosure Act 1998 and other legislation which protects employees who 'blow the whistle' on malpractices within their organisation. The protection applies to all employees, trainees, casual workers, agency workers and contractors but not to the genuinely self-employed or volunteers. Volunteers, however, should raise any concerns through the Volunteer Complaints Procedure.

Service users should make complaints or raise concerns through the Service Users Complaints Procedure.

Policy

What types of concerns?

The policy is intended to deal with serious or sensitive concerns about wrongdoings such as the following:

- a criminal offence
- a failure to comply with any legal obligation
- a miscarriage of justice
- a health and safety risk to an individual
- damage to the environment
- or deliberate concealment of the above.

It is not necessary for individuals who raise the concern to prove the wrongdoing that is alleged to have occurred or is likely to occur but they must believe it is in the public interest to raise their concern(s).

However, if an individual knowingly or maliciously makes an untrue allegation (e.g. in order to cause disruption with Dorset Mind), Dorset Mind will take appropriate disciplinary action against them. It may constitute gross misconduct.

Individuals should note that they will not be protected from the consequences of making a disclosure if, by doing so, they commit a criminal offence.

This policy does not deal with any complaints staff may have about their employment. This should be dealt with through Dorset Mind's Grievance Procedure.

Dorset Mind's Bullying and Harassment policy offers protection to workers against harassment, bullying and discrimination.

How to raise a concern in the workplace

The officer designated to handle whistleblowing concerns is the Chief Executive and shall be known as the Whistleblowing Officer.

Individuals should in most cases, first report their concern to their line manager, who is expected to respond to that matter. If the relevant manager cannot deal with the matter, he or she will refer the concern to the Whistleblowing Officer.

Depending on the seriousness and sensitivity of the matter, and who is suspected of the wrongdoing, the individual can, if necessary report directly to the Whistleblowing Officer. If the matter concerns the Whistleblowing Officer, it should be raised with the Chair of the Board of Trustees.

Individuals are encouraged to raise their concerns in writing where possible, setting out the background and history of their concerns (giving names, dates and places where possible) and indicating the reasons for their concerns.

Employees may wish to seek the assistance of their trade union representative before raising the concern. The trade union representative may, where the employee so desires, raise the concern on behalf of the employee. Employees may also invite a trade union representative or colleague to be present during any meetings or interviews about the concerns they have raised.

If any individual is unsure whether to use this procedure or they want independent advice at any stage, they should contact:

- their trade union (if applicable), or
- the independent charity, Public Concern at Work's legal helpline on 020 7404 6609, email: helpline@pcaw.co.uk

Public Concern at Work will be able to advise on how and with whom to raise a concern about malpractice.

Protecting the individual raising the concern

If an individual raises a concern which they believe to be true, Dorset Mind will take appropriate action to protect the individual from any harassment, victimisation or bullying. Employees who raise a genuine concern under this policy will not be at risk of losing their job, nor will it influence any unrelated disciplinary action or redundancy procedures.

The matter will be treated confidentially if the individual requests it and their name or position will be not be revealed without their permission unless Dorset Mind has to do so by law. If in other

circumstances the concern cannot be resolved without revealing the individual's identity, the Whistleblowing Officer will discuss with the individual whether and how to proceed.

Concerns raised anonymously tend to be far less effective but the Whistleblowing Officer will decide whether or not to consider the matter taking into account:

- the seriousness of the matter
- whether the concern is believable
- whether an investigation can be carried out based on the information provided.

How Dorset Mind will deal with the concern

How the concern will be dealt with, will depend on what it involves. It is likely that further enquiries and/or investigation will be necessary. The concern may be investigated by Dorset Mind's Whistleblowing Officer, the Board of Trustees, through the disciplinary process or it may be referred to the police, other agencies (eg Social Services), an external auditor or an independent investigator.

It may be necessary for the individual to give evidence in criminal or disciplinary proceedings.

Dorset Mind will give the individual feedback on the progress and outcome of any investigation wherever possible.

If the suspicions are not confirmed by an investigation, the matter will be closed. Staff will not be treated or regarded any differently for raising the concern provided it has been raised in good faith, and their confidentiality will continue to be protected.

Responsibilities

The Chief Executive is responsible for managing this policy and overseeing its implementation. Senior Managers are responsible for implementing the policy within their areas of work, and for overseeing adherence by staff. Every member of staff should take personal responsibility for conforming to it.

Associated Policies and Procedures

- Disciplinary Policy
- Grievance Procedure
- Bullying and Harassment Policy

The equality impact of this policy has been considered and Dorset Mind believes that it complies with its commitment to equality as stated in its Equality Policy

Policy Ownership

Policy Name	Version	Doc ref
Whistleblowing Policy	1.0	Whistleblowing Policy

Policy Owner	Chair of Trustees
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Approval Status

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Date published	January 2016	Date for next review	January 2018

Consult the Dorset Mind website for the latest version of this policy.

Document Control

Reviewers

Name	Position
Chris Price	Chair of Trustees
Jackie Lillywhite	Service Delivery Manager
Claire Wait	Trustee

Change History

Issue	Date	Author	Reason
1.0	Dec 15	Chris Price	New policy