



Policy reviewed on 20.09.2017

## ***Whistle Blowing Policy.***

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This policy aims to:

- Provide avenues for you to raise concerns about wrong doings or failings within the workplace and receive feedback on any action taken;
- Allow you to take the matter further if you are dissatisfied with the manager's response;

The Public Interest Disclosure Act 1998 was enacted to ensure a climate of greater frankness between employers and workers so that irregularities can be identified and addressed quickly and to strengthen employment rights by protecting responsible workers who blow the whistle about wrongdoing or failures in the workplace.

Employees are often the first to realise that something seriously wrong may be happening within an organisation. However, they may not express their concerns either because they feel that speaking up would be disloyal to their colleagues or because they fear harassment or victimisation. In these circumstances, it may be easier to ignore the concern than to report what may just be a suspicion of malpractice.

The Exwick Ark is committed to the highest possible standards of openness and accountability. In line with this commitment should employees or others have serious concerns about any aspect of The Exwick Ark's work they should be encouraged to come forward and voice those concerns. It recognises that certain cases will have to proceed on a confidential basis.

This policy makes it clear that staff can do so without fear of reprisals and is intended to encourage and enable staff to raise serious concerns rather than overlooking a problem or publicly disclosing the matter.

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Concerns raised under this Whistle blowing Policy should be about something that is or may be:

- Unlawful or a criminal offence; or
- A breach of a legal obligation; or
- Mistreatment or abuse of a child, parent or other contact of The Exwick Ark; or
- In disregard of legislation governing health and safety at work; or
- Amounts to improper conduct or unauthorised use of funds; or
- Deliberately covers up information tending to show any of the above.



### **3. Safeguards**

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#### **Harassment or Victimisation**

The management recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of upsetting those responsible for the malpractice. The Exwick Ark will take action to protect you when you raise a concern in good faith. It will not tolerate any resulting harassment or victimisation (including informal or indirect pressures) and will treat this as a serious disciplinary offence which will be dealt with under the appropriate procedures. Any investigation into an allegation of malpractice will not influence or be influenced by any disciplinary or redundancy procedures which already affect you.

#### **Confidentiality**

All concerns will be treated in confidence and the managers will do their best to protect your identity if you do not want your name to be disclosed. If investigation of a concern discloses a situation which is sufficiently serious to warrant disciplinary action or police involvement then your evidence may be important. Your name will not however be released as a possible witness until the reasons for its disclosure at this stage have been fully discussed with you.

#### **Anonymous Allegations**

This policy encourages you to put your name to your allegation. Concerns expressed anonymously are much less powerful but they will be considered at the discretion of the managers against the following criteria.

- The seriousness of the issues raised;
- The likelihood of confirming the allegation from attributable sources;
- The Exwick Ark's best interests;
- The protection of The Exwick Ark's assets.

You should also bear in mind that if you do choose to raise a concern anonymously it will be more difficult for the matter to be investigated and for you to be provided with feedback.

#### **Untrue Allegations**

If you make an allegation in good faith but it is not confirmed by the investigation, no reprisals will be taken against you. If, however, you make malicious or vexatious allegations, disciplinary action may be taken against you.



#### **4. How to Raise a Concern**

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As a first step, you should normally raise concerns with your immediate manager.

Concerns can be raised orally but it is good practice for the concern to be recorded in writing at an early stage to ensure that all the details are correctly understood. A written allegation should set out the background and history of the concern (giving names, dates and places where possible) and the reason why you are particularly concerned about the situation. It is preferable for you to record this in writing yourself. However, where the person to whom you voice your concerns writes these down a copy will be given to you to give you an opportunity to agree this as a correct record.

The earlier you express the concern, the easier it is to take action. Although you are not expected to prove the truth of an allegation, you will need to demonstrate to the person contacted that there are sufficient grounds for your concern.

#### **5. How we will respond**

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The action taken will depend on the nature of the concern. After initial enquiries to assess the seriousness of the matter it may be investigated internally (employing specific procedures where these are applicable - for example in child protection or discrimination issues).

Some concerns may be resolved by action agreed with you without the need for investigation or it may be that an investigation can be completed without the person or persons under investigation being aware of the process.

In any event within ten working days of a concern being received, the managers will write to you:

- Acknowledging that the concern has been received
- Indicating how it proposes to deal with the matter
- Giving an estimate of how long it will take to provide a final response
- Telling you whether any initial enquiries have been made.

The Exwick Ark accepts that you need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, you will receive information about the outcome of any investigations and/or proceedings.



## **6. Detriment**

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The Exwick Ark is committed to ensuring that an employee who makes an allegation in good faith suffers no detriment from doing so.

## **7. How the Matter can be taken Further**

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This policy is intended to provide you with a way to raise concerns within The Exwick Ark and hopes you will be satisfied by its response.

Alternatively, you may feel it is right to take the matter outside The Exwick Ark and, if so, the following are possible contact points:

- Your solicitor or legal adviser
- The Police
- The Health and Safety Executive
- 'Public Concern at Work' - a Registered Charity
- Local authority Designated Officer – for child protection allegations against staff.
- Ofsted

## **8. The Responsible Officer**

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Harriet Sharp and Paula Stone have overall responsibility for the maintenance and operation of this policy. They will maintain a record of all concerns raised under this policy and the outcomes of any investigations (but in a form which does not endanger your confidentiality).

Signed: