

RAMBLERS POLICY COVER SHEET

Policy title:	Whistleblowing Policy
Purpose / scope:	The aim of this Policy is to encourage staff and others who have serious concerns about any aspect of the Ramblers's work to come forward and voice those concerns.
Related policies:	Grievance Policy.
Staff policy owner:	Director of Services
Approved by:	Finance and risk committee, on behalf of BoT
Date approved:	12 November 2019
Next review due:	November 2022 (normally three years)
Version:	2
Applies to:	Organisation, Staff, Volunteers, Trustees, Consultants, Contractors

Version control

Version	Date	Activity
1	1 November 2018	New policy
2	23 October 2019	Updated

This policy applies to all staff and volunteers, hereinafter referred to as 'individuals'. Other people performing services in relation to the organisation such as agency workers, consultants and contractors are encouraged to use it.

It does not form part of staff members' employment contract and the Ramblers may make changes to it from time to time.

Introduction

The Ramblers is committed to the highest standards of openness and accountability. We promote a culture in which individuals feel that they are able to raise genuine concerns without the fear of reprisal, in the knowledge that they will be taken seriously and that the matters will be investigated appropriately and regarded as confidential.

It is very important to the Ramblers that any fraud, misconduct or wrongdoing by any individual are reported and properly dealt with. The Ramblers therefore encourages all individuals to raise any concerns that they may have about the conduct of others in the organisation or the way in which the organisation is run – this includes our fundraising activities.

If your concern is about your own conditions of service, working conditions, or the way you have been treated as an employee then you can use the Grievance Procedure. You can discuss this with your Trade Union representative or HR.

If your concern is about your volunteer role or the way you have been treated as a volunteer, then you can use the Volunteer Problem Solving Policy and you can discuss this with the Volunteering Development team

Background

The law provides protection for individuals who raise legitimate concerns about specified matters. Together, these are referred to as "qualifying disclosures". A qualifying disclosure is one made in the public interest by an individual who has a reasonable belief that:

- a criminal offence has been committed, is being committed, or is likely to be committed;
- a person has failed, is failing, or is likely to fail to comply with their legal obligations;
- a miscarriage of justice has occurred, is occurring, or is likely to occur;
- the health and safety of any individual has been, is being, or is likely to be endangered;
- the environment has been, is being or is likely to be damaged; and
- concealment of any of the above is being, has been, or is likely to be, committed.

The Ramblers has expanded upon the list of statutory requirements to include additional areas in relation to its operations - these are referred to as "disclosures" and include:

- financial malpractice, impropriety or fraud has occurred, is occurring or is likely to occur;
- a professional malpractice has occurred, is occurring or is likely to occur and
- serious conflict of interest without disclosure.

Whistleblowing does not cover concerns where there are no public interest elements, for example a concern about your own employment. Items such as this should be raised using the Ramblers' grievance procedures.

Under the Fundraising Regulator's Code of Fundraising Practice (as amended in July 2017) this policy also applies to any concerns regarding fundraising within the Ramblers.

It is **not** necessary for the individual to have proof that such an act is being, has been, or is likely to be committed - a reasonable belief is sufficient. The individual has no responsibility for

investigating the matter - it is the organisation's responsibility to ensure that an investigation takes place.

The Ramblers encourages individuals to raise their concerns under this procedure in the first instance. If an individual is not sure whether or not to raise a concern, the individual should discuss the issue with their manager, HR or for volunteers; their main staff contact or a member of the Volunteering Development team.

Principles

- Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation reported back to the individual who raised the issue.
- The identity of the individual raising the matter will not be disclosed where possible, but this cannot be guaranteed in all circumstances.
- No individual will be victimised for raising a matter under this procedure. This means that the continued association with the organisation or employment and opportunities for future promotion or training of the individual will not be prejudiced because they have raised a legitimate concern. Victimisation by a member of staff of an individual for raising a qualified disclosure will be a disciplinary offence.
- Any disclosure (qualifying or otherwise) made by an employee in bad faith or with malicious intent will be addressed using the Ramblers disciplinary procedure. Any disclosure made by a volunteer in bad faith will be investigated under the Volunteer Problem Solving Policy and procedure.

How to raise a concern

Reporting a matter will not provide immunity for misconduct engaged in by the individual making the report, but prompt and forthright disclosure will generally be considered a mitigating factor in determining any consequences to staff members in accordance with relevant laws.

Individuals are entitled to be accompanied by a companion at any meeting regarding a disclosure. For staff this is a colleague or trade union representative. The companion will be asked to respect the confidentiality of the disclosure and any subsequent investigation.

Stage 1 – Raising an issue

Where possible, staff should raise the issue with their manager unless they believe them to be involved or have a specific reason not to approach them. If they feel unable to go to their manager, they should raise the issue directly with a SLT member.

For volunteers, they should raise the issue with their main staff contact. If unsure about who their main staff contact is, the volunteer should contact the Volunteering Development Team for advice.

If the matter is about the Chief Executive Officer or a trustee, this should be raised with the Chair of the Board of Trustees who may appoint a member of SLT not previously involved to review and/or take any necessary action, including reporting the matter to any appropriate government department or regulatory agency.

If the matter is about the Chair of the Board of Trustees, it must be raised with the Vice Chair. The Vice Chair may appoint the Chief Executive Officer (CEO) if not involved to investigate and take any necessary action, including reporting the matter to any appropriate government department or regulatory agency.

See appendix 1 for the disclosure form.

Stage 2 - Investigation

The individual you have informed in conjunction with HR will arrange for an Investigator to look in to the matter. For staff, this will be a person more senior to you. You and other people involved (such as witnesses) may be asked to submit a written statement. Your statement will be taken into account, and you may be asked to comment on any additional evidence obtained from any other person. The investigator will then produce a written report for a member of the SLT, who will take any necessary action, including reporting the matter to any government department or regulatory agency.

The SLT member may delegate this function to HR if deemed appropriate.

Stage 3 - Outcome

On conclusion of any investigation, you will be told the outcome and what the appointed SLT member has done, or proposes to do about it. If no action is to be taken, the reason for this will be explained.

If disciplinary action is required for a staff member, the investigator will report the matter to HR and the disciplinary procedure will be invoked. On conclusion of a disciplinary investigation, you will be informed if there is a case to answer.

If there is a concern about a volunteer this will be reported to the Volunteering Development Team and the Problem-Solving Policy will be used.

Stage 4 – Concerns with the investigation outcome

If you are concerned that the manager/investigator:

- has failed to arrange a proper investigation, or
- has failed to report the outcome of the investigation

you should inform the CEO who will arrange for another SLT member, not previously involved, to review the investigation carried out, make any necessary enquiries and make their own report to the CEO.

Stage 5 – Informing the Authorities

If on conclusion of stages 1-4 you reasonably believe that the appropriate action has not been taken, you should report the matter to the proper authority. The legislation sets out a number of bodies to which qualifying disclosures may be made. These include:

- HM Revenue & Customs;
- the Financial Conduct Authority (formerly the Financial Services Authority);
- the Competition and Markets Authority;
- the Health and Safety Executive;
- the Environment Agency;
- the Independent Police Complaints Commission;
- the Serious Fraud Office

In addition, qualifying disclosures may also be made to the Charity Commission. Disclosures or concerns regarding fundraising can be made to the Fundraising Regulation (in England and Wales) or the Independent Fundraising Standards and Adjudication Panel (for Scotland).

We recognise whistleblowing may be very difficult and we will take every step to ensure we protect and support whistle-blowers. A further source of help is Public Concern at Work, a charity set up to advise on all aspects of making a disclosure. Their helpline number is 020 7404 6609. <https://www.pcaaw.org.uk/>

See next page for the disclosure form.

Appendix 1: Making a public interest disclosure (whistleblowing)

This form is intended for use by any individual working or volunteering for the Ramblers (including contractors and agency workers) who wishes to raise an issue about wrongdoing.

If you are unsure about whether your concerns are best dealt with under the Ramblers' whistleblowing policy or grievance procedure, please read the whistleblowing policy, which provides examples of the issues that should be reported using this form. If, having read the whistleblowing policy, you remain unsure about which procedure to use, please consult a member of HR for further guidance.

Once you have submitted this form, the Ramblers' whistleblowing procedure will be invoked. This will result in an investigation that may include people you may have implicated below.

In certain circumstances, you can request that your concerns be kept anonymous. Where possible, the Ramblers will respect a request for anonymity, but cannot guarantee that it will be able to do so.

This form should be completed and delivered to the relevant person in line with the Whistleblowing policy sent as an email attachment with "confidential" in the subject line.

Formal public interest disclosure (whistleblowing)

Full Name	
Role at the Ramblers	
Department/Team/Group	
Location	
Date	
Does your public interest disclosure relate to your manager (employees only)?	Yes/No
I wish to remain anonymous Anonymity may not be guaranteed in all circumstances	Yes/No

Summary of disclosure:

Please set out the details of the issue that you wish to raise, providing examples where possible, particularly dates, times, locations and the identities of those involved. You may attach additional sheets if required.

Individuals involved

Please provide the names and contact details of any people involved in your concern, including witnesses. Please note witnesses will be contacted as part of any investigation

Outcome requested

Please set out how you would like to see this issue dealt with and why and how you believe that this will resolve the issue

Declaration

I confirm that the above statements are true to the best of my knowledge, information and belief. I understand that, if I knowingly make false allegations, this may result in the organisation taking disciplinary action against me.

Form completed by	
Signature	
Date	

~END~