WHISTLEBLOWING POLICY

Policy Title	**Whistleblowing Policy**
Policy Review Date	
Policy Reviewed by	

This policy applies to the staff of Phoenix Rising

INTRODUCTION

It is important to us that any fraud, misconduct or wrongdoing by staff or officers of our organisation is reported and properly dealt with. We therefore encourage all individuals to raise any concerns that they may have about the conduct of others in our organisation or the way in which the organisation is run.

This policy sets out the way in which individuals may raise any concerns that they have and how those concerns will be dealt with.

THE LAW

The law provides protection for staff who raise legitimate concerns about specified matters. These are called "qualifying disclosures". A qualifying disclosure is one made in the public interest by a member of staff who has a reasonable belief that:

- a criminal offence;
- a miscarriage of justice;
- an act creating risk to health and safety;
- an act causing damage to the environment;
- a breach of any other legal obligation; or
- concealment of any of the above;

is being, has been, or is likely to be, committed.

It is not necessary for the member of staff to have proof that such an act is being, has been, or is likely to be, committed - a reasonable belief is sufficient. The member of staff has no responsibility for investigating the matter - it is the organisation's responsibility to ensure that an investigation takes place.

A member of staff who makes such a protected disclosure has the right not to be dismissed, subjected to any other detriment, or victimised, because he/she has made a disclosure.

We encourage members of staff to raise their concerns under this procedure in the first instance. If you are not sure whether or not to raise a concern, you should discuss the issue with your manager or the HR team.

PRINCIPLES

- Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. Members of staff should be watchful for illegal or unethical conduct and report anything of that nature that they become aware of.
- Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation reported back to the member of staff who raised the issue.
- No member of staff will be victimised for raising a matter under this procedure. This means that the continued employment and opportunities for future promotion or training of the member of staff will not be prejudiced because he/she has raised a legitimate concern.
- Victimisation of a member of staff for raising a qualified disclosure will be a disciplinary offence.

- If misconduct is discovered as a result of any investigation under this procedure the organisation's disciplinary procedure will be used, in addition to any appropriate external measures.
- Maliciously making a false allegation is a disciplinary offence.
- An instruction to cover up wrongdoing is itself a disciplinary offence. If told not to raise or pursue any concern, even by a person in authority such as a manager or director, members of staff should not agree to remain silent. They should report the matter to the Incumbent

This procedure is for disclosures about matters other than a breach of your own contract of employment. If you are concerned that your contract has been, or is likely to be, broken, you should use our Grievance Procedure.

PROCEDURE

(1) In the first instance you should raise any concerns with your manager. However, if you reasonably believe your manager to be involved in the wrongdoing, or if for any other reason you do not wish to approach your manager, then you should proceed straight to stage 3.

(2) The manager will arrange an investigation into the matter (either by investigating the matter him/herself or immediately passing the issue to someone in a more senior position). The investigation may involve the member of staff who raised the concern and other individuals involved giving a written statement. Any investigation will be carried out in accordance with the principles set out above. Your statement will be taken into account, and you will be asked to comment on any additional evidence obtained. The manager (or the person who carried out the investigation) will then report to the board, which will take any necessary action, including reporting the matter to any appropriate government department or regulatory agency. If disciplinary action is required, the manager (or the person who carried out the investigation) will report the matter to the HR team who will start the disciplinary procedure. On conclusion of any investigation, you will be told the outcome of the investigation and what the board has done, or proposes to do, about it. If no action is to be taken, the reason for this will be explained.

(3) If you are concerned that your manager is involved in the wrongdoing, has failed to make a proper investigation or has failed to report the outcome of the investigations to the board, you should inform the Chair of the Board or Incubent who will make any necessary enquiries and make his/her own report to the board as in stage 2 above. If for any other reason you do not wish to approach your manager you should also in the first instance contact the Chair of the Board or the Incumbent Any approach to them will be treated with the strictest confidence and your identity will not be disclosed without your prior consent.

(4) If on conclusion of stages 1, 2 and 3 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; and
- the Serious Fraud Office.
- The local Safeguarding Boards

IN OUR POLICIES:

- 'Board' refers to the Boards, committees or legal entities that govern Phoenix Rising.
- 'Manager/leader' refers to people who are in charge of various activities within Phoenix Rising. They may be paid staff or volunteers