

Pioneering Care Partnership (PCP) Whistleblowing Policy



Aim

PCP is committed to managing the organisation in the best way possible. This policy is in place to reassure people that it is safe and acceptable to speak up and enable concerns to be raised at an early stage and in the right way.

Employees and volunteers can express concerns about malpractice/wrongdoing and PCP encourages people to raise these at an early stage and in an appropriate way in line with the Public Interest Disclosure Act 1998, where they have a legitimate workplace concern.

Policy Statement and Principles

The Board, Chief Executive and Senior Management Team are committed to this Policy. If a genuine concern is raised under this policy, employees will not be at risk of losing their job or suffering any detriment (such as reprisal or victimisation). Provided they acted in good faith, it does not matter if the concerns are genuinely mistaken or if there is an innocent explanation. This assurance is not extended to those who maliciously raise a matter they know is untrue. If, following a thorough investigation, it is found that a matter was raised maliciously; this will be dealt with under the Disciplinary Policy.

This policy is to be applied consistently and in line with PCP core values or principles. Rather than wait for proof, PCP would prefer a potential issue to be raised when the matter is still a concern. PCP:

- Encourages openness;
- Provides accessible and reliable channels to disclose potential wrongdoing;
- Ensures protection against retaliation; and
- Uses learning to protect against future wrongdoing.

Scope

This Policy applies to all staff who work for PCP whether full-time or part-time, self-employed, employed through an agency or as a contractor. This Policy also applies to PCP volunteers, including PCP Trustees and work placement students.

The Whistleblowing Policy is intended to cover serious public interest concerns that fall outside the scope of other procedures. These, as stated in the Act are that in the reasonable belief of the employee, the following matters are either happening now, have happened, or are likely to happen:

- Financial malpractice, irregular use of money or resource, or fraud
- Failure to comply with a legal obligation or Statutes
- Risk of dangers to Health & Safety of individuals, groups or the environment
- Criminal activity
- Improper conduct or unethical behaviour
- Attempts of concealment.

Exclusions

Pioneering Care Partnership

Registered Charity No. 1067888 Company registered in England No 3491237 V.A.T Registration No 708 1680 37
Registered office: Pioneering Care Centre, Carers Way, Newton Aycliffe, County Durham DL5 4SF

This Policy is non-contractual.

This Policy does not apply to complaints about employment or how employees have been treated. For cases such as this, the Grievance Procedure should be used.

This policy does not replace PCP's Comments and Complaints Procedure, which should be used by volunteers and service users to deal with specific incidents relating to projects or services.

Definitions

Whistleblowing. The official name for Whistleblowing is 'making a disclosure' in the public interest'. It means that if you believe there is wrongdoing in your workplace, you can report this by following the correct processes and your employment rights are protected.

Public Interest - The wrongdoing disclosed must be in the public interest. This means it must affect others, for example the general public.

Malpractice could be improper, illegal or negligent behaviour by anyone in the workplace.

Responsibilities

Trustees are responsible for approving and reviewing this Policy as part of the review cycle.

Senior Managers are responsible for ensuring that the Policy is reviewed, disseminated and implemented, addressing any concerns raised through this Policy.

Human Resources are responsible for ensuring that this Policy and associated procedures remain compliant with legislation.

Line Managers are responsible for applying the Policy and procedures, communicating the Policy to staff, ensuring staff operate in the public interest and eradicating any potential poor practice within operational teams.

Employees & Volunteers are responsible for upholding best practice standards, reading and operating within PCP policies and procedures, adhering to PCP core values and raising concerns with their line manager.

Related Policies and Procedures

This Policy should be read in conjunction with the following PCP policies, procedures or guidance:

- Whistleblowing Procedure
- Confidentiality Policy
- Charter of Service Standards
- Core Values
- Dignity at Work Policy and Procedures
- Grievance Policy and Procedures
- Disciplinary Policy and Procedures
- Comments and Complaints Procedure

Relevant Legislation

This Policy is in line with the following relevant legislation:

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- Employment Rights Act 1996
- Public Interest Disclosure Act (PIDA)1998 - The Public Interest Disclosure Act 1998, shortened to PIDA, is the law that protects whistleblowers from negative treatment or unfair dismissal. It is part of the Employment Rights Act 1996 (ERA). PIDA makes it unlawful to subject a worker to negative treatment or to dismiss them because they have raised a whistleblowing concern.

Monitoring and Review

As part of the Policy Review Cycle a full formal review will take place every 3 years by HR and the Senior Management Team to ensure it remains compliant and be approved by the Board of Trustees.

June 2022 Issue 9

Policy document tracking

| Action | Date(s) |
|--------------------------------------|------------------------------------|
| Draft to SMT: | 19 th May 2021 |
| Draft to Board: | 4 th July 2022 |
| Ratified by Board: | 4 th July 2022 |
| Approved Policy circulated to SMT: | 10 th November 21 |
| Approved Policy uploaded to shared: | 19 th July 2022 |
| Approved Policy circulated to staff: | 19 th July 2022 |
| Interim Review Date: | November 2022 (reviewed June 2022) |
| Main Review Date: | May 2024 |
| SMT Lead for Review | Carol Gaskarth |

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