

**WHISTLE BLOWING POLICY AND PROCEDURE**

**1. Introduction**

Shetland Women’s Aid is committed to delivering a high quality of service to women, children and young people who are experiencing domestic abuse. To achieve and maintain these standards in service delivery, Shetland Women’s Aid expects workers to conduct themselves with integrity, impartiality, and honesty.

This policy and procedure provide how employees can raise concerns about malpractice within the organisation.

**2. Policy Aims**

Shetland Women’s Aid is committed to promoting a culture that challenges inappropriate behaviour. This policy aims to take a proactive approach to encouraging workers to report genuine concerns about malpractice, illegal acts, or failures to comply with recognised standards of work without fear of reprisal by:

* Encourage workers to feel confident in raising concerns to question and act upon their concerns
* Providing a procedure for workers to report concerns
* Providing information on the actions the organisation will take to investigate and deal with such complaints
* Reassuring workers that they will be protected from reprisals or victimisation when they raise an issue of genuine concern
* Providing information on where to report malpractice out with the organisation

**3. Policy Application**

This policy applies to all people who work for Shetland Women’s Aid. Workers as defined in this policy include employees, volunteers, management committee members, students or people on work placements and contractors, suppliers, or consultants in the course of their work Shetland Women’s Aid.

**4. Legislative and Regulatory Framework**

**Public Interest Disclosure Act 1998** The Public Interest Disclosure Act 1998 aims to promote a more open culture and provides employees with protection against victimisation or dismissal if they report concerns about malpractice in the workplace.

**The Care Inspectorate** the National Care Standards for Housing Support Services outline service providers’ responsibilities in relation to the management of support services. Shetland Women’s Aid has adopted this policy to ensure that it is able to fulfil these requirements.

**SSSC Codes of Practice for Employers of Social Service Workers** the Codes of Practice set out the responsibilities of employers and employees in the regulation of social service workers. Shetland Women’s Aid fully recognises its responsibilities under the terms of the Code of Practice.

**5. Equalities**

Shetland Women’s Aid Equalities Policy sets out Shetland Women’s Aid commitment to prevent unequal treatment and discrimination. Shetland Women’s Aid will make reasonable adjustments to assist an employee to use the whistle blowing procedure.

Shetland Women’s Aid values the diversity of its workers and the contribution that each employee makes to the work of the organisation and will work to ensure that discrimination does not take place when implementing the whistle blowing policy and procedure.

**6. Related Policies**

The policies listed below are integral to the formal policy framework in which employees’ concerns are managed in all aspects of the organisation’s work:

|  |  |
| --- | --- |
| * Grievance Policy * Health and Safety * Dignity at Work * Confidentiality | * Equalities Policy * Support and Supervision * Disciplinary Procedure |

**7. Definitions**

Whistle blowing relates specifically to employees raising genuine concerns about malpractice. Malpractice covers a wide range of concerns and includes but is not limited to the following:

* Mistreatment or abuse of service users
* Danger to the health and safety of any individual
* Damage to the environment
* A criminal offence
* Fraud, corruption, or dishonesty
* Financial maladministration
* Breaches of law or any statutory code of practice
* Any attempt to cover up information relating to any of the above

**8. Responsibilities**

8.1 Shetland Women’s Aid is responsible for:

* Ensuring that all employees are aware of the Whistle Blowing Policy and Procedure
* Managing reported concerns within the agreed procedures and timescales
* Seeking advice from relevant professionals where appropriate
* Recording concerns and actions taken to address the concern
* Reporting malpractice to the police or relevant regulatory bodies where appropriate

8.2 Employees’ responsibilities

Employees have a responsibility to ensure that they are familiar with and comply with the terms of this policy. Employees have a responsibility to report genuine concerns of malpractice.

**9. Protection from harassment or victimisation**

Shetland Women’s Aid is committed to ensuring that a worker can report genuine concerns without fear of reprisal or harassment. Shetland Women’s Aid will treat any victimisation or harassment of a worker who has reported a genuine concern of malpractice as a disciplinary action.

**10. Confidentiality**

Where a worker raises a concern in confidence Shetland Women’s Aid will ensure as far as reasonably possible the confidentiality of the worker concerned. However, it may be difficult in some circumstances to investigate a complaint fully without disclosing the source of this information. In this case the matter will be discussed with the worker concerned first.

**11. Anonymous allegations**

Shetland Women’s Aid encourages workers to put their name to a complaint of malpractice. Shetland Women’s Aid will consider anonymous complaints of malpractice at their discretion, considering the seriousness of the issue, the credibility of the complaint, the ability to substantiate the allegation.

**12. Untrue allegations**

Shetland Women’s Aid wishes to actively encourage workers to raise concerns of malpractice within the organisation. Where a worker raises such a concern in good faith which is subsequently found to be mistaken, no action will be taken against the worker. However, any false or malicious allegations will be taken seriously and any worker responsible for such allegations will be subject to disciplinary action.

**13. Reporting malpractice externally**

Workers are encouraged to use the internal Whistle Blowing procedure as the first means of raising a concern. If you are dissatisfied with the response, you receive you can raise a genuine concern of malpractice externally. In certain exceptional circumstances it may be appropriate to use the internal procedure, for example where the concern requires immediate reporting to the police or a regulatory body.

**14. Information and Training**

Shetland Women’s Aid will

* Ensure all employees have access to a copy of the Whistle Blowing Policy and procedure
* Ensure all members of staff understand the policy and procedure
* Identify any training requirements for workers required to manage the Whistle Blowing policy and procedures

**15. Monitoring and Review**

Shetland Women’s Aid will monitor and review this policy every three years and when there are relevant changes in legislation, regulation, or any other appropriate circumstances.

**SHETLAND WOMEN’S AID WHISTLE BLOWING PROCEDURE**

**1. How to report a concern**

1.1 If a worker has a genuine concern about potential wrongdoing, they should in the first instance raise this issue with their line manager, who in turn can support the member of staff to raise the issue with the Service Manager. This in turn could be raised with the Chair of the Board if the situation could not be resolved within the staff group, or if the Service Manger is involved in the malpractice, the line manager can support the member of staff to report to the chair of the Board. The Chair of the Board would then discuss the matter with the Service Manager's support and supervision lead.

1.2 Concerns can be made verbally or in writing. Where possible providing information to support the allegation e.g., dates, context, reasons why they are concerned.

**2. How Shetland Women’s Aid will respond to a reported concern**

2.1 Shetland Women’s Aid will

* Respond to any concern as quickly and responsively as possible
* Investigate allegations thoroughly
* Provide support to the person who raised the concern and as far as possible safeguard their right to confidentiality
* Act in the public interest

2.2 The member/s of Shetland Women’s Aid to whom the disclosure is madewill take the reported concern seriously and will record the basis of the concern and decide what further actions are required.

The person who raised the concern will be told who will be handling the matter, how they can be contacted and whether their further assistance will be needed.

2.3 Concerns raised under the Whistle Blowing Policy may be:

* Investigated by staff subgroup
* Investigated by internal audit
* Referred to the Police
* Referred to the Care Commission
* Referred to another external agency
* Form the subject of an independent enquiry

2.4 If concerns or allegations fall within the scope of other procedures (for example grievance or dignity at work), they will be dealt with under the appropriate procedure.

2.5 The party investigating the concern will write to the person who has raised the concern within ten working days of a concern being raised. Their letter will:

* Acknowledge that the concern has been received
* Indicate how the group propose to deal with the matter
* Give an estimated timescale for how long it will take and when they will provide a final response
* State whether further investigations will be carried out and, if not, why not

2.6 Where it would assist in the investigation Shetland Women’s Aid may seek further information from the worker who raised the concern.

2.7 The worker who reported the concern may be accompanied by an advocate or a colleague to meetings held to assist in the investigation.

2.8 Shetland Women’s Aid will seek to minimise difficulties for workers who raise a concern. For example, if in reporting a concern a worker is required to give evidence in criminal or disciplinary proceedings Shetland Women’s Aid will assist them to receive advice about the procedures involved.

2.9 Subject to any legal constraints Shetland Women’s Aid will inform the worker who reported the concern of the outcome of the investigation.

2.10 Investigations may lead to disciplinary action being taken; this will be conducted in line with Shetland Women’s Aid Disciplinary Policy.

2.11 Shetland Women’s Aid may because of an investigation make changes to procedures and systems which will be monitored and reviewed to ensure recommendations from an investigation are implemented.

2.12 Reports of an investigation and related correspondence will be retained for five years in accordance with Shetland Women’s Aid’s Data Protection Policy.

**3. Reporting a concern externally**

3.1 The Whistle blowing Policy and Procedure is designed for workers to raise concerns within the group and have them dealt with effectively. If a worker is dissatisfied with the response, they have received or if in exceptional circumstances the concern merits immediate reporting to the police or a regulatory body they should contact one of the prescribed regulatory bodies.

**4. Independent advice and support on whistleblowing**

4.1 If a worker is concerned about malpractice within Shetland Women’s Aid, they can discuss their concern confidentially with [Protect](https://protect-advice.org.uk/) (formerly known as Public Concern at Work) , an independent charity that offers free and confidential advice on whistleblowing issues.