



Triple C
(Liverpool)

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WHISTLEBLOWING POLICY

Policy Adopted	July 2007
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Date Reviewed	Reviewed by	Approved by	Date Accepted by Trustees
01/11/2022	Operations Manager	Policy Review Committee	13 December 2022

Introduction

Triple C (Liverpool), hereafter referred to as Triple C, expects all employees to uphold highest level of integrity when working for Triple C. Triple C encourage all involved (including trustees, volunteers and service users) to report any wrongdoing they are concerned about. Whistleblowing is considered to be a positive act that is in the interest of the Triple C.

1. Purpose

The purpose of this policy is to:

- Encourage people to say something if they see something.
- Assure everyone that they will be protected if they report any wrongdoing in good faith.
- Ask people to raise their concerns within Triple C in the first place rather than taking the matter outside it.

2. What is Whistleblowing?

Whistleblowing is when an employee raises a concern with someone in authority. This can be internally and/or externally (e.g. to regulators, MPs, the media) — about wrongdoing, risk or malpractice that affects others. This definition is in line with the legal definition of whistleblowing under the Public Interest Disclosure Act 1998 (PIDA)

There are many issues that could be considered to be whistleblowing issues. Common examples of whistleblowing include:

- an employer breaking the law or breaching contract
- financial wrongdoing such as fraud
- the health and safety staff or the general public being put at risk
- ethical concerns such as the conduct of staff or conflicts of interest

The wrongdoing you disclose must be in the public interest. This means it must affect others, eg the general public as a whistle-blower you're protected by law - you shouldn't be treated unfairly or lose your job because you 'blow the whistle'.

You can raise your concern at any time about an incident that happened in the past, is happening now, or you believe will happen in the near future.

3. Complaints that count as whistleblowing

You're protected by law if you report any of the following:

- a criminal offence, e.g. fraud
- Someone's health and safety is in danger
- Risk or actual damage to the environment
- a miscarriage of justice
- the company is breaking the law, e.g. doesn't have the right insurance
- you believe someone is covering up wrongdoing, examples of wrongdoing include
 - Acceptance of unauthorised gifts, benefits and hospitality;
 - An act, omission or course of conduct that:
is oppressive, is improperly discriminatory, is grossly negligent, or constitutes gross mismanagement;
 - Breach or likely breach of criminal, civil, company or employment law;
 - Breach of copyright law or use of unlicensed software;
 - Breach of tax law;
 - Breach of operational or internal controls;
 - Bullying, harassment of any nature, exploitation, mistreatment or discrimination;

- Competition or anti-trust issues e.g. price fixing
- Concern about actions that could be or are putting the health or safety of individuals at risk;
- Conduct or unbecoming behaviour likely to damage, directly or indirectly, the reputation of the employer, its management or staff or its products or business;
- Conflict of interest;
- Corruption of any nature including asking for, taking, offering or paying bribes or facilitation payments;
- Damage or risk to the environment;
- Drug, substance or alcohol abuse;
- Failure or likely failure to comply with any regulatory obligations whether general or specific to the business of the employer;
- Falsification of documents or reports;
- Financial irregularity, malpractice or misstatement;
- Fraud, theft or misappropriation of funds;
- Improper use of company assets;
- Insider trading;
- Miscarriage of justice that has occurred or is likely to occur;
- Misselling;
- Misuse or inappropriate disclosure of confidential employer organisation or customer information;
- Offences of any nature;
- Professional or other forms of negligence;
- Unethical behaviour which is in breach of the employer's Code of Ethics;
- Unlawful, corrupt or irregular use of funds or resources of the employer or of any public body;
- Violence or threatened violence in the workplace;
- Intentionally concealing or destroying evidence relating to any of the above.

4. Complaints that don't count as whistleblowing

Personal grievances (e.g. bullying, harassment, discrimination) are not covered by whistleblowing law, unless your particular case is in the public interest.

These should be reported under Triple C [Grievance and Appeal Policy](#).

5. Should I raise a concern?

Individuals who are concerned about any malpractice but unsure whether to blow the whistle or to stay silent or are unclear about how to go about blowing the whistle may obtain free expert help from a specialist whistleblowing charity, Protect see appendix for details.

6. Raising a concern

6.1 For employees, the first step is to raise any concern with the Operations Manager.

6.2 If the employee feels that the concerns involve the Operations Manager, they should speak to the Chair or Vice Chair of Trustees. The Board of Trustees should consider a designated Whistleblowing Trustee to deal with any concerns raised involving the Trustees.

6.3 If an individual does not want to report their concern to Triple C, they can report it to a prescribed person or body that deals with the type of issue they are raising. A list of prescribed people or bodies can be found on the Government Website <https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2/whistleblowing-list-of-prescribed-people-and-bodies>

6.4 When raising a concern, individuals should provide as much information as possible including

- The background and history of the concern (including relevant dates, times, names, places, etc)

- The nature of the concern
 - The reason why they are particularly concerned about the situation.
 - The names of any colleagues/employees/volunteers who are considered to be either directly involved or who can help with further information.
 - Any other background information e.g. lists of documents, etc.
- 6.5 Whilst this is supportive, the whistle-blower does not need to provide evidence for the employer to look into the concerns raised.
- 6.6 Concerns should be raised in writing.
- 6.7 All anonymous concerns will be treated seriously, however without contact details it may be difficult to clarify information, gain additional information or carry out an investigation.

7. How Triple C will respond

- 7.1 The action taken by Triple C will depend on the nature of the concern raised and will normally be investigated internally by the trustees. However, in appropriate cases the concerns may be referred to the local authority, a regulatory body or the Police in criminal matters.
- 7.2 In order to protect the whistle-blower, Triple C and those accused, initial enquiries will be made to decide whether an investigation is appropriate, and if so, what form it should take, and who should conduct it.
- 7.3 Concerns which fall within the scope of other procedures will normally be referred for consideration under those procedures.
- 7.4 The overriding principle which Triple C will have in mind is the public interest.
- 7.5 Triple C has a commitment to take all reasonable steps to maintain the confidentiality of the whistleblower where it is requested (unless required by law to break that confidentiality)
- 7.6 Concerns may be resolved by agreed action without the need for an investigation. If urgent action is required, this will be taken before any investigation is conducted.
- 7.7 Where the individual raising the concern has provided contact details the person receiving the concern will send an acknowledgement within 15 working days. If it is possible to say at this stage how the matter is to be dealt with, then more information may be provided, however since investigations often involve maintaining confidentiality, it may not be possible to disclose any further information.
- 7.8 If an investigation is to be undertaken an appropriate investigating officer will be appointed, which may be the person who received the concern. Where the individual has provided contact details, an investigation interview should be undertaken unless not required by the whistleblower. The investigating officer will meet with the individual to gather as much information as possible. Where the complainant is an employee, they will be entitled to representation by a colleague. The investigating officer will inform the individual what steps will be taken and potential timescales for the investigation to be completed. If the matter does not fall under the whistleblowing policy, they will be informed how the matter will be taken forward.
- 7.9 Employees who are the subject of a whistleblowing concern which is being investigated, may be contacted by the Investigating Officer and a formal investigation will be carried out and the employee has a right to representation by a colleague. This is to ensure that the investigation is fair and open. The details of any concerns raised which are discovered to be untrue will not be kept on the employee's file.
- 7.10 The investigating officer will consider all the evidence and make a recommendation to the Board of Trustees. In the case of financial irregularities, a report of the findings will be sent to the Charity Commission and Companies House.
- 7.11 Triple C accepts that those raising concerns need to be assured that the matter has been properly addressed, therefore subject to legal constraints, information will be provided on the outcome of any investigation, to the whistleblower, as long as contact details have been provided.
- 7.12 If an individual feels that it is right to take the matter further they may refer to the table provided at the end of this section, which provides details of a number of relevant organisations.

Who to contact	Contact Details
Merseyside Police	Merseyside Police HQ, Rose Hill Cazneau Street, Liverpool, L3 3AN 101 (for calls from Merseyside) or 0151 709 6010 (from outside Merseyside) https://www.merseyside.police.uk/tua/tell-us-about/soh/seen-or-heard/
The Environment Agency	National Customer Contact Centre PO Box 544, Rotherham, S60 1BY 03708 506 506 or 0114 282 5312 enquiries@environment-agency.gov.uk
Health and Safety Executive	https://www.hse.gov.uk/contact/tell-us-about-a-health-and-safety-issue.htm Redgrave Court, Merton Road, Bootle, L20 7HS 0300 003 1647
HM Revenue and Customs	https://www.gov.uk/report-tax-fraud HMRC Fraud Hotline 0800 778 887 or 0203 080 0871
Protect	The Green House, 244-254 Cambridge Heath Road, London E2 9DA https://protect-advice.org.uk/ Telephone 0800 055 7214 or 020 3117 2520 (option 1)
The Charities Commission	whistleblowing@charitycommission.gov.uk Use this service if you are a paid charity employee or adviser and you want to report suspected wrongdoing in the organisation you work for. Guidance 'Whistleblowing: guidance for charity employees' (https://www.gov.uk/guidance/whistleblowing-guidance-for-charity-employees)
Diocese of Liverpool	St James' House, 20 St James' Road, Liverpool LI 7BY, 0151 709 9722
Protect	https://protect-advice.org.uk/ Telephone 0800 055 7214
Action Fraud	https://www.actionfraud.police.uk/reporting-fraud-and-cyber-crime