

WHISTLEBLOWING POLICY

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01/11/2022	Operations Manager	Policy Review Committee	13 December 2022
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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. We want everyone to feel confident to report bad or poor practice or wrongdoing in relation to any part of Triple C. We want to make sure that everyone knows that they can raise concerns, and these will be heard and dealt with. We also accept that sometimes a complainant may need to go outside of their work environment to raise legitimate concerns. We have a clear policy to enable people to whistle-blow and protect those who do.

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 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. 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. Protection for the Whistleblower

3.1 As a whistle-blower you're protected by law - you shouldn't be treated unfairly or lose your job because you 'blow the whistle'. A whistle-blower has their confidentiality protected as far as possible. We will not disclose a whistleblower's identity without their consent unless there are legal reasons that require us to do so.

3.2 Bullying, harassment or any other detrimental treatment afforded to a colleague who has made a qualifying disclosure is unacceptable. Anyone found to have acted in such a manner will be subject to disciplinary action.

3.3 If you make an allegation in good faith and reasonably believing it to be true, but it is not confirmed by the investigation, no action will be taken against you. Provided you are acting honestly, you will not be in trouble if you are mistaken or if there is an innocent explanation for your concerns.

3.4 However, if we conclude that a whistleblower has made false allegations maliciously, the whistleblower may be subject to appropriate action which could include disciplinary action.

4. 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

5. 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 [Triple-C-Grievance-and-Appeal-Policy-](#).

6 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.

7 Raising a concern

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

7.2 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.

7.3 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.

7.4 Whilst this is supportive, the whistle-blower does not need to provide evidence for the employer to look into the concerns raised.

7.5 Concerns should be raised in writing ideally.

7.6 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.

8.0 Handling the Disclosure

8.1 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. 8.2 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.

8.3 Concerns which fall within the scope of other procedures will normally be referred for consideration under those procedures.

8.4 The overriding principle which Triple C will have in mind is the public interest.

8.5 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)

8.6 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.

8.7 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.

8.8 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.

8.9 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.

8.10 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.

8.11 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.

9. External Notification

9.1 The law recognises that in some circumstances it may be appropriate for you to report your concerns to an external body such as a regulator. We strongly encourage you to seek advice before reporting a concern to anyone external. Protect (formerly Public Concern at Work) operates a confidential helpline. Their contact details are at the end of this policy.

9.2 We also have some help and guidance on whistleblowing to a prescribed person and organisations you may wish to contact

APPENDIX

[Whistleblowing: list of prescribed people and bodies - GOV.UK](#)

Organisation	Purpose / What They Handle	Address	Phone / Email	Website / Reporting Link
Protect (Whistleblowing Charity)	Independent, confidential advice about whistleblowing	The Green House, 244-254 Cambridge Heath Road, London E2 9DA	020 3117 2520 whistle@protect-advice.org.uk	https://protect-advice.org.uk
Merseyside Police	Crime, public safety concerns	Merseyside Police HQ, Rose Hill, Cazneau Street, Liverpool L3 3AN	101 (UK) 0151 709 6010	https://www.merseyside.police.uk
Action Fraud	Fraud & cyber-crime reporting (England, Wales & NI)	—	0300 123 2040	https://www.actionfraud.police.uk
Information Commissioner's Office (ICO)	Data protection, GDPR, information rights wrongdoing	Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF	0303 123 1113	https://ico.org.uk/make-a-complaint/protection-for-whistleblowers-guidance
Environment Agency	Environmental offences, pollution, waste crime, regulatory breaches	National Customer Contact Centre, PO Box 544, Rotherham S60 1BY	03708 506 506 enquiries@environment-agency.gov.uk	https://www.gov.uk/guidance/report-fraud-to-the-environment-agency
Health and Safety Executive (HSE)	Workplace health & safety concerns	Redgrave Court, Merton Road, Bootle L20 7HS	0300 003 1647	https://www.hse.gov.uk/contact/whistleblowers.htm
HM Revenue & Customs (HMRC)	Tax fraud, evasion, customs fraud	—	HMRC Fraud Hotline: 0800 788	

