SP-07 Whistleblowing Policy

Document Type	Policy
Scope	All Staff
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Approved by	The Solas Board
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Document Owner	Assistant Director (Operations and Communications)
Purpose	Outlines the process to follow in the event of employees raising a concern

1 Purpose and scope

1.1 All organisations face the risk of things going wrong or of unknowingly harbouring malpractice. We take malpractice very seriously and are committed to conducting our business with honesty and integrity and we expect all staff to maintain high standards too. We encourage open communication from all those who work for us and we want everyone to feel secure about raising concerns. We will provide training to all staff in relation to whistleblowing law and this policy.

1.2 All staff have protection under whistleblowing laws if they raise concerns in the correct way. This policy is designed to give staff that opportunity and protection. It does not matter if an individual who raises a concern is mistaken about it—staff do not have to prove anything about the allegation they are making but they must reasonably believe that the disclosure is made in the public interest and that the information they have tends to show some malpractice.

1.3 This policy applies to all our employees, consultants, and contractors.

1.4 This policy does not form part of any contract of employment and we may amend it at any time.

2 When to use this policy

2.1 There is a difference between whistleblowing and raising a grievance:

2.1.1 whistleblowing is where an individual has a concern about a danger or illegality that has a public interest aspect to it, for example because it threatens customers, third parties or the public generally; but

2.1.2 a grievance is a complaint that generally relates to an individual's own employment position or personal circumstances at work.

2.2 This policy does not set out the procedure that applies to general grievances. If you have a complaint about your own personal circumstances, then you should follow the Solas Grievance Policy instead.

3 Malpractice covered by this policy

3.1 Whistleblowing is the reporting of suspected malpractice, wrongdoing or dangers in relation to the activities the Company undertakes. The kinds of malpractice covered by this policy include:

3.1.1 criminal offences, including those in relation to bribery and corruption and tax evasion facilitation;

3.1.2 miscarriages of justice;

3.1.3 danger to the health and safety of any individual;

3.1.4 bullying (or other behaviour that falls below the statutory threshold);

3.1.5 breach of any legal obligation, including those in relation to bribery and corruption and tax evasion facilitation;

3.1.6 deliberately concealing any of the above

4 Solas guarantee

4.1 We are committed to the principles set out in this policy. If you use this policy to raise a concern, we give you our assurance that you will not suffer any form of retribution or detrimental treatment. We will treat your concern seriously and act according to this policy.

4.2 If you ask for a matter to be treated in confidence, we will respect this request and, unless the law requires otherwise, will only make disclosures to third parties or other staff with your consent.

5 Procedure for raising a concern

5.1 If you are concerned about any form of malpractice covered by this policy, you should normally raise the issue with your immediate supervisor. If you feel you cannot tell your immediate supervisor, for whatever reason, you should raise the issue with the Chair of the Solas Board of Trustees or another member of the board, who will convene a panel comprised of 3 Trustees to consider the issue.

5.2 A concern can be raised by telephone, in person or in writing. It is preferable if it is made in writing. Although you are not expected to prove the truth of your concern beyond doubt or provide evidence, you will generally need to provide, as a minimum, details of the nature of the concern and why you believe it to be true, and the background and history of the concern (giving relevant dates where possible).

6 Responding to concerns raised

6.1 We are committed to ensuring that all disclosures raised will be dealt with appropriately, consistently, fairly and professionally. We will arrange a meeting as soon possible to discuss the concern raised. You may bring a colleague to any meeting that takes place. The companion must respect the confidentiality of the disclosure and any subsequent investigation. We may ask you for further information about the concern raised, either at this meeting or at a later stage.

6.2 The concern raised will be recorded in the Company's central Whistleblowing Report Register.

6.3 After the meeting, we will decide how to respond. Usually this will involve making internal enquiries first, but it may be necessary to carry out an investigation at a later stage which may be formal or informal depending on the nature of the concern raised. External investigators may be brought in where necessary. We will endeavour to complete investigations within a reasonable time.

6.4 We will keep you informed of the progress of the investigation carried out and when it is completed, and give you an indication of timings for any actions or next steps that we will take, but we cannot inform you of any matters which would infringe any duty of confidentiality owed to others.

7 Confidentiality

7.1 All concerns raised will be treated in confidence and every effort will be made not to reveal your identity if that is your wish. If disciplinary or other proceedings follow the investigation, it may not be possible to take action as a result of a disclosure without your help, so you may be asked to come forward as a witness.

7.2 We hope that all staff will feel able to voice their concerns openly under this policy. Although a concern may be raised anonymously, we encourage you give your name when reporting your concern whenever possible. If this is not done, it will be much more difficult for us to protect your position or to give feedback on the outcome of investigations. Concerns that are expressed completely anonymously are also much less powerful and are difficult to investigate.

8 Raising your concern externally (exceptional cases)

8.1 The main purpose of this policy is to give all our staff the opportunity and protection they need to raise concerns internally. We would expect that in almost all cases raising concerns internally would be the most appropriate course of action.

8.2 However, if for whatever reason, you feel you cannot raise your concerns internally and you reasonably believe the information and any allegations are substantially true, the law recognises that it may be appropriate for you to raise the matter with another prescribed person, such as a regulator or professional body or an MP. A list of the relevant prescribed people and bodies for this purpose and the areas for which they are responsible is available from Protect (formerly known as Public Concern at Work) (see paragraph 10, Further information and contacts, below) and on the GOV.UK website at www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2.

8.3 We strongly encourage any individual to seek appropriate advice before reporting a concern to anyone external. Protect (formerly known as Public Concern at Work) is a leading independent charity whose main objectives are to promote compliance with the law and good practice in the public, private and voluntary sectors. They are a source of further information and advice and operate a confidential helpline. See paragraph 10, Further information and contacts, below.

9 Protection and support for those raising concerns

9.1 We are committed to good practice and high standards and to being supportive to staff who raise genuine concerns under this policy, even if they turn out to be mistaken.

9.2 Any individual raising a genuine concern must not suffer any detriment as a result of doing so. If you believe that you have suffered such treatment, you should contact the Assistant Director (Operations and Communications) immediately. If the matter is not dealt with to your satisfaction, you should raise it formally using the Solas Grievance Policy.

9.3 No member of staff must threaten or retaliate against an individual who has raised a concern and we will not tolerate any such harassment or victimisation. Any person involved in such conduct may be subject to disciplinary action**.**

9.4 However, to ensure the protection of all our staff, those who raise a concern for personal gain and/or make an allegation they do not reasonably believe to be true and/or made in the public interest will also be liable to disciplinary action.

10 Further information and contacts

10.1 If you have any queries about the application of this policy, please contact the Assistant Director (Operations and Communications) in the first instance.

10.2 The regulator for Scottish Charities:

Name of regulator	**Contact details**
OSCR	The Scottish Charity Regulator (OSCR) 2nd Floor Quadrant House 9 Riverside Drive

	Dundee DD1 4NY **info@oscr.org.uk** 01382 220446 OSCR | Home

10.3 Protect (formerly known as Public Concern at Work) is a source of further information and advice at www.pcaw.co.uk. It also provides a free helpline offering confidential advice on 020 7404 6609.