

# WHISTLEBLOWING POLICY

## VERSION: 4.1



Version	By Author	Reason	Reviewed/ Modified	Date Ratified
3	HB/TS	Full rewrite for clarity	July 2018	September 2018
3.1	HB/TS	Updated Trustee roles	July 2019	September 2019
4	HB/TS	Update re who Policy applies to	July 2020	September 2020
4.1	HB/TS	Updated Appendix 1	July 2021	06/10/2021

**This policy applies to all members of the Make Some Noise team including Trustees, staff, volunteers and freelance workers.**

### Policy Aim

Make Some Noise is committed to operating with honesty and integrity. We expect all the Make Some Noise team to operate on this basis and to adhere to organisational policies and procedures.

The aim of this policy is to encourage the reporting of suspected wrongdoing internally rather than externally as a first resort. Any concerns raised under this policy will be treated seriously and dealt with confidentially.

Anyone raising a concern under this policy will not be treated less favourably for raising concerns as outlined in this procedure. This means that anyone who raises a concern under this policy will not be subjected to a detriment nor will they be dismissed for doing so.

### Responsibilities

The Chief Executive Officer will ensure that Make Some Noise monitors the effectiveness of all Make Some Noise policies.

### Monitoring, reporting and review

This Whistleblowing policy and procedures are subject to regular review according to the schedule agreed by the Board.

'Policy updates and comments' forms a standing item on the agenda of every general Board meeting. It should be noted that this may consist of a statement that there is nothing to report; the information, which enables Trustees to meet their responsibilities is nevertheless essential.

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c/o 2 Staffordshire Place,  
Tipping Street, Stafford, ST16 2DH

#### Office address:

Eastgate House  
Eastgate Street, Stafford, ST16 2NG

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makesomenoisewm

### **What is whistleblowing?**

Whistleblowing is when a worker reports suspected wrongdoing at work. For example:

- A criminal offence and/or
- A miscarriage of justice and/or
- Damage to the environment and/or
- Breach of a legal obligation and/or
- A danger to health and safety and/or
- A deliberate concealment of any of the above.

Anyone can report things that are not right, are illegal or if anyone at work is neglecting their duties, including:

- Someone's health and safety is in danger
- Damage to the environment
- A criminal offence
- The organisation isn't obeying the law (like not having the right insurance)
- Covering up wrongdoing.

Someone who has a reasonable belief that a wrongdoing has or may be committed and raises a genuine concern relating to any of the above, is a whistleblower and is protected under this policy.

The organisation will, at its discretion, consider disclosures that are made anonymously, although such disclosures are inevitably much less powerful. The organisation will also treat every disclosure in confidence and only reveal the identity of the person making it if absolutely necessary (eg if required in connection with legal action).

### **Rights of the Whistleblower**

Any member of the Make Some Noise team is encouraged to use this policy to raise genuine concerns and will not be treated less favourably for doing so, even if they are mistaken in their belief.

Any member of the Make Some Noise team who raises a concern under this policy will not be subjected to a detriment nor will they be dismissed for doing so. Any colleague who believes that they have been subjected to a detriment for raising a complaint should raise the matter with the CEO and/or a second Trustee.

Victimisation of a whistleblower by any other colleague for raising a concern under this policy will in itself constitute a disciplinary offence.

Where the organisation believes that a colleague has knowingly made a false allegation or acted maliciously, the colleague will be subject to disciplinary action, which may include dismissal for gross misconduct.

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This policy does not deal with any complaints relating to a colleague's own treatment at work or own contract of employment. Those matters should be raised under the Grievance Policy or Bullying and Harassment Policy as appropriate.

An exception to this will be when the matter of concern arises from the colleague's own treatment at work that is arising from the whistleblowing matter they have raised previously.

### **Making a Whistleblowing Complaint**

To make a whistleblowing complaint the whistleblower must meet certain conditions.

If the disclosure is made to Make Some Noise, it must be in the public interest and the person making the complaint ("the whistleblower") has a reasonable suspicion that the alleged malpractice has occurred, is occurring or is likely to occur.

If the disclosure is made to a regulatory body then as well as satisfying the conditions required for disclosure to Make Some Noise, the whistleblower must also honestly and reasonably believe that the information they provide and any allegations contained in it are substantially true.

For example, the whistleblower will be eligible for protection if:

- They honestly think what they are reporting is true
- They think they are telling the right person
- They believe that their disclosure is in the public interest

If the disclosure is made to other external bodies then as well as satisfying the conditions required for disclosure to Make Some Noise, in all circumstances of the case it must be reasonable for them to make the complaint. Furthermore, the whistleblower must:

- Reasonably believe that they would be victimised if they raised the matter internally or to a regulatory body, or
- Reasonably believe that evidence is likely to be concealed or destroyed, or
- Have already raised the concern with Make Some Noise and/or relevant regulatory body, and
- Reasonably believe that the information they provide and any allegations contained therein are substantially true.

If the disclosure is made to other external bodies and is of an "exceptionally serious" nature – which could include the alleged abuse of children or vulnerable adults by Make Some Noise colleagues then the whistleblower will not be required to:

- Have raised the matter concerned internally first
- Believe that they will be subject to a detriment for raising the disclosure internally

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- Believe that the evidence is likely to be concealed or destroyed.

Anyone wishing to make a disclosure or arrange a face to face meeting in order to make a disclosure, should write to one of the Trustees listed in Appendix 1 addressed to Make Some Noise, c/o 2 Staffordshire Place, Tipping Street, Stafford ST16 2DH. They should mark the envelope **PIDA – Strictly confidential and for the Personal Attention of:**

Email cannot be guaranteed as a secure medium and it is not recommended as a channel for reporting issues related to this Policy.

The Trustee who has received the disclosure will:

- acknowledge receipt of the correspondence in writing, within 10 working days
- seek further information if required, which may include a personal interview, at which the whistleblower can be accompanied by a representative of their trade union or professional association, or by a fellow colleague
- when the precise nature of the alleged wrongdoing is established it may be referred to the Chief Executive Officer or Chair for a decision re further action
- in liaison with the CEO or Chair keep the individual informed regarding the progress and in all cases (subject to legal constraints) provide details of the outcome of any investigation.

On receipt of a disclosure from a Trustee the Chief Executive Officer will determine what further action, if any, is needed, which may comprise:

- Internal investigation
- Report to the Police
- Report to external audit
- Independent enquiry
- Any combination of the above.

The CEO will also ensure that the Trustee is advised of progress and outcome.

If the whistleblower does not reasonably believe that appropriate action has been taken in relation to their concern, then they may raise it externally to the prescribed regulator or to external auditors.

### RELEVANT LEGISLATION

- Public Interest Disclosure Act 1998

### FORMS REFERRED TO IN THIS POLICY

- None

### LINKED POLICIES

- Grievance Policy

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- Safeguarding Policy
- IT & Internet Policy

### FURTHER INFORMATION

If you belong to a recognised trade union or professional association you can get support and assistance from them or if you prefer to seek independent, external advice this can be obtained from the charity Public Concern at Work or the Audit Commission at:

#### **Public Concern at Work,**

CAN Mezzanine

7 - 14 Great Dover Street

London

SE1 4YR

Helpline: 020 7404 6609

E-mail: [whistle@pcaw.org.uk](mailto:whistle@pcaw.org.uk)

<https://www.pcaw.org.uk/>

#### **ACAS**

Euston Tower

286 Euston Road

London

NW1 3JJ

Helpline: 0300 123 1100

<http://www.acas.org.uk>

Further background information on this topic is also available on the following Websites:

<https://www.gov.uk/whistleblowing>

[www.gov.uk/government/organisations/department-for-business-innovation-skills](http://www.gov.uk/government/organisations/department-for-business-innovation-skills)

[www.local.gov.uk](http://www.local.gov.uk)

[www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)

### **Appendix 1: Trustees Contact Details**

Ratification of this policy and its subsequent revisions shall be recorded as including this appendix.

### **PIDA – Strictly Confidential and for the Personal Attention of:**

Rhys Harrington-Jones  
Rosie Milsom  
Nigel Senior (Chair)  
Sarah Colclough  
Sohrab Uduman  
Julie Tanner

Information about the background and interests of our Trustees can be found [here](#) (please scroll to the bottom of the page to find details. This may help you decide who is best placed to support your concern.

### **Postal Address:**

Make Some Noise  
c/o 2 Staffordshire Place  
Tipping Street  
Stafford  
ST16 2DH