WHISTLE BLOWING POLICY

Area:	SOCIETY POLICY	north east autism society	
Title:	Whistle Blowing Policy		
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1. Purpose

The policy refers to the disclosure internally or externally by employee(s) of malpractice, as well as illegal acts or omissions at work. This policy has been developed in accordance with the Public Interest Disclosure Act 1998.

This policy forms part of our commitment to the safeguarding of adults with care and support needs and the protection of all young people and should be read in conjunction with the Safeguarding Policy.

2. Scope

All employees (regardless of contract status), volunteers, work placements, agency staff or casual workers.

3. Introduction

North East Autism Society (NEAS) is committed to achieving the highest possible standards of service and the highest possible ethical standards in all its practices. To achieve these ends, it encourages freedom of speech. It also encourages employees to use internal mechanisms for reporting any malpractice or illegal acts or omissions by its employees or workers not employed directly by NEAS but working within the Society.

NEAS has a range of policies and procedures, and the Contract of Employment, which deal with standards of behaviour at work; they cover Health and Safety, Complaints, Positive &Proactive Support, Equal Opportunities, Equality and Risk Management. Employees are encouraged to use the provisions of these procedures when appropriate. There may be times, however, when the matter is not about a personal employment position and needs to be handled in a different way. It may be something in the public interest, such as:

- Malpractice or abuse of anyone within NEAS services by employees
- Repeated abuse of anyone within NEAS services despite a complaint being made
- A criminal offence has been, is being or is likely to be committed (ie fraud)
- Failure to comply with an obligation set out in law or disregard for legislation, particularly in relation to Health and Safety at Work Act and the Care Act
- Damage to the environment or endangering of someone's health and safety
- Information on any of the above has been, or is being, or is likely to be concealed

The above list is not exhaustive.

NEAS will not tolerate any harassment or victimisation of any person(s) who expresses concern under the Whistleblowing Policy (including informal pressures), and will treat this as a serious disciplinary offence, which will be dealt with under the Disciplinary Rules and Procedure.

4. Designated Officers

The Senior Leadership Team have been nominated and agreed by NEAS as designated officers for concerns under this procedure.

5. Role of the Designated Officer

Where concerns are not raised with their line manager, the designated officers will be the point of contact for employees who wish to raise concerns under the provisions of this policy. Where concerns are raised with a designated officer, they will arrange an initial interview that will, if requested, be confidential, to ascertain the area of concern. At this stage, the person raising the concerns will be

asked whether they wish for their identity to be disclosed and will be reassured about protection from possible reprisals or victimisation. They will also be asked whether they wish to make a written or verbal statement. In either case, the designated officer will write a brief summary of the interview, which will be agreed by both parties.

6. Complaints about the most Senior Persons in NEAS

If the concern is about the designated officers/most senior person in NEAS, this should be made to the Chair of Trustees, who will decide on how the investigation will proceed. This may include an external investigation.

7. Investigation

The investigation may need to be carried out under the terms of strict confidentiality i.e. by not informing the subject of the complaint until (or if) it becomes necessary to do so. This may be appropriate in cases of suspected fraud. In certain cases, however, such as allegations of abuse, suspension from work will be considered immediately. Protection of anyone within NEAS services and employees is paramount in all cases.

The designated officer assigned to investigate the concerns raised will be from a different directorate to that from in which the concern was raised.

The designated officer will offer to keep the person expressing concerns informed about the investigation and its outcome.

If the result of the investigation is that there is a case to be answered by any individual, the Disciplinary Policy and Procedure will be used.

Where there is no case to answer, but the employee held a genuine concern and was not acting maliciously, the designated officer should ensure that the employee suffers no reprisals.

Only where false allegations are made, and malicious intent is inferred/suspected will it be considered appropriate to act against the informant under the terms of the Disciplinary Rules and Procedure.

8. Following the Investigation

The designated officer will then arrange a meeting with the person or write to the person who expressed concerns to give feedback on any action taken. (This will not include details of any disciplinary action, which will remain confidential to the individual concerned).

9. The Law

This policy and procedure has been written to take account of the Public Interest Disclosure Act 1998, which protects workers making disclosures about certain matters of concern, where those disclosures are made in accordance with the Act's provisions. The Act is incorporated into the Employment Rights Act 1996, which already protects employees who act over, or raise concerns about, health and safety at work.

10. **Help/Contact details**

Details of designated officers, Trustees and organisations to support individuals can be accessed by contacting HR via email: hr@ne-as.org.uk