



Whistleblowing Policy and Procedure

LASTED UPDATED: August 2024

Version No.	Approved By	Approval Date	Main Changes	Review Period
1.0	Board	August 24	Initial draft approved	Annually

This Whistleblowing Procedure sets out the framework for dealing with allegations of illegal and improper conduct. Phab Nottingham is committed to the highest standards of transparency, probity, integrity and accountability.

This procedure is intended to provide a means of making serious allegations about standards, conduct, financial irregularity or possible unlawful action in a way that will ensure confidentiality and protect those making such allegations in the reasonable belief that it is in the public interest to do so from being victimised, discriminated against or disadvantaged.

This procedure does not replace other policies and procedures such as the complaints procedure.

This procedure is intended to ensure that Phab Nottingham complies with its duty under the Public Interest Disclosure Act 1998.

This procedure applies to all members, volunteers, parents/guardians/carers and trustees.

1. What is Whistleblowing?

A whistleblower is normally a worker/member of staff who reports certain types of wrongdoing. In Phab Nottingham it could be a member, volunteer, parent/guardian/carer, or a trustee.

This procedure applies, but is not limited to, allegations about any of the following:

- Conduct which is an offence or breach of the law.
- Alleged miscarriage of justice.
- Serious Health and Safety risks.
- The unauthorised use of charity funds.
- Possible fraud and corruption.
- Sexual, physical or verbal abuse, or bullying or intimidation of members, volunteers, parents/guardians/carers or trustees.
- Abuse of authority.
- Other unethical conduct.

The wrongdoing you disclose must be in the public interest. This means it must affect others, for example 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.

2. Reporting your concern

If you see or hear about something that you think is wrong, you should report it to the Charity Commission by completing this [form](#), and they will take action to respond to your concerns.

3. Procedure for making an allegation

Whether you provide information verbally, or in writing, it should contain as many relevant facts and detail, as are available. Such as:

- Your name and how you wish to be contacted, such as a telephone number or email or postal address.
- Background and history of the allegation (relevant dates and the names and positions of anyone who may be able to contribute information)
- The specific reason for the allegation. You will not be expected to prove any allegation, but you do need to provide information to establish the basis for it.

4. Action on receipt of an allegation

The investigator will record details of the allegation gathering as much information as possible (within 5 working days).

The investigator will ask the whistleblower for their preferred means of communication and contact details and use these for all communications with the whistleblower in order to preserve confidentiality.

An acknowledgement of the allegation in writing within 10 working days with:

- An indication of how Phab Nottingham propose to deal with the matter
- An estimate of how long it will take to provide a final response
- An indication of whether any initial enquiries have been made
- Information of whistleblower support systems
- Indication whether further investigations will take place and if not, why not.

Where the allegation has been made internally and anonymously, Phab Nottingham will be unable to communicate what action has been taken.

If the allegation relates to fraud, potential fraud or other financial irregularity the Treasurer will be informed within five working days of receipt of the allegation. The Treasurer will determine whether the allegation should be investigated and the method of investigation.

If the allegation discloses evidence of a criminal offence, it will immediately be reported to all of the Board of Trustees and a decision will be made as to whether to inform the Police. If the allegation concerns suspected harm to children, the Safeguarding Policy should be referred to and appropriate authorities will be informed immediately.

5. Confidentiality

All allegations will be treated in confidence and every effort will be made not to reveal a whistleblower's identity unless the whistleblower otherwise requests. However, if the allegation results in court proceedings then the whistleblower may have to give evidence in open court if the case is to be successful.

Phab Nottingham will not, without the whistleblower's consent, disclose the identity of a whistleblower to anyone other than a person involved in the investigation/allegation.

6. Anonymous Allegations

This procedure encourages whistleblowers to put their name to an allegation wherever possible as anonymous allegations may often be difficult to substantiate/prove. Allegations made anonymously are much less powerful but anonymous allegations will be considered at the discretion of the Chair of the Board of Trustees.

In exercising discretion to accept an anonymous allegation, the factors to be taken into account are:

- The seriousness of the issue raised
- The credibility of the allegation; and
- Whether the allegation can realistically be investigated from factors or sources other than the complainant.

7. Untrue Allegations

No action will be taken against a whistleblower who makes allegations in the reasonable belief that it is in the public interest to do so even if the allegation is not substantiated by an investigation.

However, if a whistleblower makes an allegation without reasonable belief that is in the public interest to do so (e.g. making an allegation frivolously, maliciously or for personal gain when there is no element of public interest) an investigation will be carried out and, depending on the outcome of this investigation, the whistleblower may be asked to leave Phab Nottingham.

8. Monitoring

All allegations will be kept on record even if the allegation is not substantiated by an investigation. The following details will be recorded:

- The name and status of the whistleblower

- The date on which the allegation was received
- The nature of the allegation
- Details of the person who received the allegation
- Whether the allegation is to be investigated and, if yes, by whom
- The outcome of the investigation
- Any other relevant details

This document will be confidential and only available for inspection by the Board of Trustees.