

Whistleblowing Policy and Procedure

Our Commitment

A New Direction is committed to maintaining the highest standards of ethical practice, behaviour, and integrity.

Whistleblowing is the act of reporting concerns about illegal, unethical, or improper activities within the organization. It is important that any fraud, misconduct, or wrongdoing is reported and properly dealt with.

We aim to encourage a culture of openness and transparency, where anyone who works for or on behalf of A New Direction feels able to speak up and report any genuine concerns and whistleblowing is seen as a positive and responsible way to protect the organization's values and reputation.

This policy sets out how individuals can raise concerns that they have and how those concerns will be dealt with. A New Direction will deal with all whistleblowing concerns in line with this policy.

Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation reported back to the person who raised the issue.

As speaking up and raising concerns can be difficult, this policy also provides guidance to enable people to do so with confidence. We are committed to ensuring that those who raise genuine concerns are protected from any form of penalization, victimization, harassment, or unfair treatment.

A New Direction encourages workers to raise their concerns under this procedure in the first instance. If you are not sure whether or not to raise a concern, you should discuss the issue with your line manager or the Chief Executive. If you wish to raise a qualifying disclosure relating to the acts or omissions of the Chief Executive, you should raise the matter with the Chair.

This is a non-contractual policy and procedure which will be reviewed annually.

Policy Owner:	CEO		
Version:	2.0	Approved:	28/10/2024
Last reviewed:	28/10/2024		
Next review due:	October 2025		

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1. Purpose – what is the aim of this policy?

This policy aims to:

- **Promote a Culture of Integrity:** To encourage a culture of openness and transparency, encouraging everyone who works for or with us to feel confident in raising concerns about potential wrongdoing within the charity.
- **Protect Whistleblowers:** To provide a safe and confidential environment for whistleblowers to report concerns without fear of retaliation.
- **Address and Resolve Issues:** To facilitate a swift and effective investigation process, enabling the charity to address and resolve reported concerns appropriately.

Safeguard Reputation: By taking prompt action on valid whistleblowing reports, we aim to safeguard the organization's reputation and ensure compliance with legal and regulatory requirements.

2. Scope – who and what does this policy apply to?

Who does this policy apply to?

While we want to encourage everyone who works for or with us to speak up if they have any concerns, this policy applies specifically to those working for or on behalf of A New Direction. This includes trustees, employees, contractors or freelancers, agency workers, volunteers, interns or trainees and external consultants.

Other people who engage with A New Direction or participate in our programmes are encouraged to raise any concerns through our [Complaints Procedure](#).

What does this policy apply to?

This policy, and the procedure outlined below are for reporting concerns about wrongdoing, illegal, unethical, or improper activities within the organization.

The person raising the concern may or may not be directly affected by the matter, but the matter must also affect others and cannot only be related to the individual raising the concern. If you have a specific concern about your own employment experience or contract, or feel you are being treated unfairly you should use **A New Direction's Grievance Procedure**. If your complaint involves bullying or harassment, the grievance procedure is modified, as set out in the **Dignity at Work policy**.

3. Roles and Responsibilities

Everyone should be aware of the importance of preventing and eliminating wrongdoing at work and familiarise themselves with the procedure outlined in this policy.

Everyone working for or on behalf of A New Direction has a responsibility to:

- **Report Genuine Concerns:** All employees have a responsibility to report any genuine concerns about wrongdoing or potential misconduct within the charity promptly. If you become aware of any activity that goes against our values or the law, it is essential to raise the matter following the procedures outlined in the Whistleblowing Policy.
- **Provide Accurate Information:** When reporting, provide clear and precise information to help with investigations.
- **Respect Confidentiality:** Whistleblowing reports are strictly confidential. Only share information with individuals directly involved in the investigation or those who need to know as part of their roles.
- **No Retaliation:** It is strictly prohibited to victimize, harass, or treat any individual adversely for raising a genuine concern under the Whistleblowing Policy. Such actions are against our values and will be a disciplinary offence.

Your active involvement in fulfilling these responsibilities helps ensure a safe, transparent, and ethical work environment at A New Direction.

4. What is Whistleblowing?

Whistleblowing is the act of reporting concerns about illegal, unethical, or improper activities within the organization.

A **whistleblower** is a person who raises a genuine serious concern relating to any of the above categories of wrongdoing.

In the UK, whistleblowing is protected by the Public Interest Disclosure Act 1998 (PIDA). This legislation safeguards whistleblowers from unfair treatment or dismissal as a result of making a qualifying disclosure, and individuals to raise genuine concerns without fear of retaliation.

A qualifying disclosure refers to the act of reporting information that the whistleblower reasonably believes shows one or more of the following:

- a criminal offence;
- a miscarriage of justice;
- an act creating risk to health and safety;
- an act causing damage to the environment;
- a breach of any other legal obligation; or
- concealment of any of the above;

To qualify as a protected disclosure under PIDA, the concern raised must meet the following criteria:

- It must be **made in the public interest**, meaning it affects the welfare of the charity or the wider community rather than just the individual raising the concern.
The **whistleblower must have a reasonable belief that the disclosure reveals wrongdoing.**

It is not necessary for the individual to have proof that such an act is being, has been, or is likely to be, committed - a reasonable belief is sufficient - and the individual has no responsibility for investigating the matter. It is A New Direction's responsibility to ensure that an investigation takes place.

5. Key Principles Guiding Our Procedure

1. **Confidentiality:** Whistleblowing reports will be treated with strict confidentiality to protect the identity of the individuals involved and the integrity of the process.
2. **Non-Retaliation:** We prohibit any form of retaliation against whistleblowers and ensure a safe environment for those who raise genuine concerns.
3. **Prompt Action:** We will promptly investigate and address reported concerns to ensure a timely resolution.
4. **Fairness and Impartiality:** All investigations will be conducted fairly and impartially, considering all relevant information.
5. **Transparency:** We will keep whistleblowers informed of the investigation's progress and outcomes to the extent possible and appropriate.
6. **Consequences of Misconduct:** If wrongdoing is substantiated, appropriate disciplinary action will be taken against those responsible in line with A New Direction's Disciplinary Policy, in addition to any appropriate external measures.

7. **Consequences of False Allegations:** Maliciously false allegations made with the intention to harm others will not be tolerated and may result in disciplinary action against the individual making the false report.
8. **Protecting Our Values and Reputation:** Whistleblowing is seen as a responsible way to safeguard the charity's reputation, uphold our values, and maintain high ethical standards.
9. **Protection of Public Interest:** The procedure aims to address issues that are in the public interest and meet our legal obligations.
10. **Continuous Improvement:** We regularly review and enhance the whistleblowing procedure to align with best practices and ensure its effectiveness.

6. Whistleblowing Reporting Procedure

Stage 1: Raise Your Concern

If you witness or suspect any wrongdoing, report your concerns to the Director of your team, who will arrange an investigation of the matter. A New Direction will acknowledge receipt of your report as quickly as possible, and within 5 working days.

If you believe the Director of your team to be involved, or for any reason do not wish to raise your concern directly with them, then you should raise your concern with the CEO or proceed straight to stage 4.

Please note: An instruction to cover up wrongdoing is itself a disciplinary offence. If told not to raise or pursue any concern, even by a person in authority such as a manager, you should not agree to remain silent. You should report the matter to a director.

Stage 2: Investigation

The Director will arrange an investigation of the matter. This will usually be led by a Director, the CEO or a Trustee.

The investigation may involve you and other individuals involved giving a written statement, and exploratory meetings. Investigations will be carried out in accordance with the commitments and principles set out in this policy.

The investigation will be objective and evidence-based, and will produce a report that focuses on identifying and rectifying any issues, and learning lessons to prevent problems recurring.

Your statement will be taken into account, and you will be asked to comment on any additional evidence obtained.

Stage 3: Outcome & Resolution

A New Direction will make all reasonable efforts to address and resolve the concern promptly and effectively.

If the concern is substantiated, the CEO will ensure the matter is reported to the Chair of the Trustees and any required regulatory agencies or government departments. The CEO will also ensure that any necessary actions are taken, which may include disciplinary measures, corrective actions, or process improvements.

On conclusion of any investigation, you will be told the outcome and what the charity has done, or proposes to do, about it. If no action is to be taken, the reason for this will be explained. If you are unhappy with or have concerns about the resolution you should proceed to stage 4.

Stage 4: Escalation

You should escalate the matter to the chair of the board of trustees if you are concerned that the CEO:

- is involved in the wrongdoing
- has failed to make a proper investigation
- or has failed to report the outcome of the investigations to the relevant person.

If your concern is related to wrongdoing by or involving the CEO the Chair will arrange an investigation and work towards resolution as outlined in Stage 2 & 3 above.

If your concern is relating to the nature of a completed investigation or reporting of the outcome of an investigation, the Chair will arrange for a review of the investigation to be carried out, make any necessary enquiries and make their own report to the board and relevant external bodies.

7. External Reporting

If, for any reason, you believe that your concern has not been adequately addressed internally, you should report the matter to the proper authority.

The legislation sets out a number of bodies to which qualifying disclosures may be made. These include:

- HM Revenue & Customs
- The Health and Safety Executive
- The Environment Agency
- The Serious Fraud Office
- The Charity Commission
- The Pensions Regulator
- The Information Commissioner
- The Financial Conduct Authority
- The Competition and Markets Authority
- The Independent Office for Police Conduct

You can find the full list in [The Public Interest Disclosure \(Prescribed Persons\) Order 2014](#) (PDF).

8. Data Protection

When an individual makes a disclosure, we will process any personal data collected in accordance with our [Data Protection Policy](#). Data collected from the point at which the individual makes the report is held securely and accessed by, and disclosed to, individuals only for the purposes of dealing with the disclosure.

9. Useful links

You can read more about the law and your rights relating to whistleblowing at work on the Acas website here: <https://www.acas.org.uk/whistleblowing-at-work>