



for disabled children  
and young people in Sussex

## **AMAZE WHISTLEBLOWING POLICY**

### **1. INTRODUCTION**

The aim of this policy is to set out how Amaze staff, volunteers, trustees and parent carer forum (PCF) steering group members can safely and effectively “whistleblow” (more formally defined as making a disclosure in the public interest) if they know or have reason to believe malpractice may be occurring within the organisation or in joint work that Amaze is carrying out in partnership with another organisation. Amaze want to positively encourage staff, volunteers and trustees to speak up and speak out in these circumstances.

It follows the approach in the Public Interest Disclosure Act 1998 which provides protection for employees who act as whistleblowers. It reflects Amaze’s commitment to being a transparent and ethical organisation.

The policy is intended to deal with serious concerns about wrongdoings such as:

- a criminal offence
- a breach of a legal obligation
- a miscarriage of justice
- a danger to the health and safety of any individual
- damage to the environment
- a deliberate attempt to conceal any of the above

These concerns may relate to the actions of another employee, volunteer, trustee, suppliers, contractors or anyone else undertaking work on behalf of Amaze. It is important to Amaze that any fraud, misconduct or wrongdoing is reported and properly dealt with, and Amaze is committed to investigating and tackling malpractice and wrongdoing.

This policy sits alongside Amaze’s Grievance Policy which should be used if Amaze employees have an issue about their own employment, including bullying and harassment; the Volunteer Policy which covers volunteers’ concerns about their volunteering; and the Complaints Policy which should be used by Amaze’s users if they are unhappy with the service. The Amaze Safeguarding Policy should be used alongside this policy in the case of an allegation of abuse by Amaze staff or volunteers.

This policy does not apply where Amaze staff, volunteers, trustees and PCF steering group members are concerned about practice in other organisations separate from Amaze and not connected to joint or partnership activities. If possible malpractice comes to their attention through their role at Amaze, they should discuss with their supervisor or line manager how best to proceed. This may be through the other organisation’s complaints or feedback procedure or through strategic relationships where Amaze or PCFs can raise issues formally or informally.

### **2. Principles**

In applying this Whistleblowing Policy, Amaze trustees, managers and staff should bear in mind the following principles:

- Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. All staff need to be aware of how to raise a concern. All managers need to be ready to listen to and deal with concerns that are raised. Trustees and the Chief

Executive Officer should foster an open culture in the organisation and ensure training and resources are available to implement this policy.

- It is not necessary for individuals who raise a concern to prove that the wrongdoing that is alleged has occurred or is likely to occur, but should demonstrate there are sufficient grounds for concern. The individual does not have responsibility for investigating the wrongdoing. A reasonable belief is sufficient to disclose the concern.
- It will be assumed that all concerns raised under this policy are raised in good faith. However, in the unlikely event that a concern is found to be frivolous, malicious or vexatious, action under the Disciplinary Policy will be considered.
- Individuals who are responsible for any wrong-doing themselves and raise the issue under this policy will not be provided with immunity for the actual wrong-doing, but their positive action in bringing the matter to light will be taken into account.

### **3. Raising a concern**

Individuals should in most cases, first report their concern to their supervisor or line manager, who will discuss with the individual how to proceed. If the relevant manager cannot deal with the matter, he or she will refer the concern to a senior manager or Chief Executive.

Dependent on the seriousness and sensitivity of the matter, and who is suspected of the wrongdoing, the individual can report directly to a senior manager or the Chief Executive. If the matter concerns the Chief Executive, it should be raised with the Chair of Trustees.

Individuals are encouraged to raise their concerns in writing (including email) where possible, setting out the background and history of their concerns (giving names, dates and places where possible) and indicating the reasons for their concerns. If the individual does not feel able to make the disclosure in writing, an interview will be arranged.

Employees may wish to seek the assistance of a representative (for example from a trade union) before or after raising the concern. The representative may, where the employee so desires, raise the concern on behalf of the employee. Employees, volunteers or trustees may choose to be accompanied during any meetings or interviews about the concerns they have raised.

If any individual is unsure whether to use this procedure or they want independent advice at any stage, they may contact the charity Protect which aims to stop harm by encouraging safe whistleblowing. Other possible contact points for advice are relevant professional bodies or regulatory organisations, a solicitor and the police. Disclosures made to a legal advisor in the course of obtaining legal advice will be protected under the Public Interest Disclosure Act. More information about Protect and other sources of information and support are listed in Appendix 1.

If the concern relates to the conduct of a person or body other than Amaze, but working in partnership with Amaze, the individual should raise their concern with the Chief Executive in the first instance. If the individual reasonably believes that the matter relates wholly or mainly to the conduct of a person or body other than Amaze or any other matter for which a person or body other than Amaze has legal responsibility, the disclosure may need to be made to that other person or body but should first be discussed with the Chief Executive. This will enable the individual to get support and advice about how best to raise the concern. This is not intended to prevent or discourage the act of “whistleblowing” in these circumstances.

If the concern relates to a safeguarding issue for a child or adult, the individual should consult Amaze’s Safeguarding Policy and should in most cases take their concern to Amaze’s designated person for safeguarding. However, the individual may approach the relevant

council's social care safeguarding contact point for advice or contact the Local Authority Designated Officer (LADO). Contact details for Amaze's safeguarding lead and deputy, children's and adult's social care and the LADO are all in the Safeguarding Policy.

This policy is intended to provide a route by which members of staff can raise concerns internally. However, if an employee is unhappy with the outcome of an investigation or if, for any reason they do not feel comfortable raising their concern internally, they are free to take the matter outside of the organisation to a prescribed person or body or to their Member of Parliament (MP). More information about prescribed persons or bodies is listed in Appendix 1.

#### **4. Protecting the individual raising a concern**

Amaze will take appropriate steps to ensure that the individual raising the concern is not victimised and does not suffer any detriment as a result of whistleblowing. Employees who raise a genuine concern under this policy will not be at risk of losing their job or disadvantaged in terms of training or future opportunities, nor will it influence any unrelated disciplinary action or redundancy procedures. This applies whether or not the concern is confirmed by any subsequent investigation. Provided the member of staff is acting honestly, it does not matter if they are mistaken or if there is an innocent explanation for their concerns.

The matter will be treated confidentially in the first instance. Every effort will be made not to reveal an employee's identity if this is their wish. Amaze will not disclose the whistleblower's identity without their consent unless there are legal reasons that require them to do so. This might be, for example, where their information is about a child or adult who is at risk, or where there is a possible criminal offence. If this is the case Amaze may have to tell the police or another official body, or if required to do so by a court. Amaze will let the individual know if it has to do this and that this will identify them to another body.

Concerns may be raised anonymously, and Amaze will still investigate. However, the person raising the concern must be aware that it may not always be possible to investigate fully in such circumstances or to reach a satisfactory conclusion.

#### **5. How Amaze will deal with the concern**

How the concern will be dealt with will depend on the nature of the issue. All concerns raised will be dealt with promptly and thoroughly. Any concerns raised will be acknowledged within five working days, indicating how the matter will be dealt with and by whom. It is likely that further enquiries and investigation will be necessary. Any investigation will be evidence-based, objective and include looking at how to rectify any issues, and learn lessons to prevent problems recurring.

The concern may be investigated by the Chief Executive, the Trustees, through the disciplinary process or it may be referred to the police, other agencies, an external auditor or an independent investigator. It may be necessary for the individual who raised the concern to give evidence in criminal or disciplinary proceedings.

Amaze will give the individual feedback on the progress of any investigation wherever possible. Amaze will offer the individual support as appropriate. On conclusion of any investigation, the individual will be told the outcome of the investigation and what Amaze has done, or proposes to do, about it. Wherever possible, will share the full investigation report with the person who raised the concern (while respecting the confidentiality of others). If no action is to be taken, the reason for this will be explained.

If the suspicions are not confirmed by an investigation, the matter will be closed. The individual who raised the concern will not be treated or regarded any differently for raising the concern, and their confidentiality will continue to be protected.

If an individual is not satisfied with the response received and any subsequent action taken, they should put their concerns in writing to the Chair of Trustees who will arrange any further investigation they think appropriate and send a written response to the individual concerned.

All whistleblowing activity will be reported to the Amaze Trustees and reviewed annually by the Management Committee.

## **6. Responsibilities and Breach of Policy**

Everyone is responsible for their own compliance with this policy. For staff, breaches of policy may incur disciplinary action, depending on the severity of the issue. Please refer to our Disciplinary Policy for further information on disciplinary procedures. Staff who are unsure about whether something they propose to do on social media might breach this policy, should seek advice from the communications and marketing teams.

## **7. Communication of the Policy**

This policy will be available in the policies folder and hard copies will be available on request. New staff and volunteers will be made aware of the policy during their induction with their manager. Training will be available on request. Reminders will be given at staff meetings.

### **Related Forms / Associated Documents**

N/A

### **Related Policies**

Please also see the following related policies:

- Complaints Policy
- Disciplinary Policy
- Grievance Policy
- Safeguarding Policy

### **VERSION CONTROL / RECORD OF CHANGES**

<b>Review date</b>	<b>Version</b>	<b>Section</b>	<b>Changes/Comments</b>
October 2016	1	All	Approved by Management Committee
May 2019	2	All	Updated and approved
October 2022	3	All	Updated and approved
July 2024	4	All	Small update made following funder feedback

## APPENDIX 1

### **More information and support**

Protect is the UK's whistleblowing charity that aims to stop harm by encouraging safe whistleblowing. They provide a legal advice service offering free expert and confidential advice on how best to raise a concern and protection that applies to a whistleblower.

<https://protect-advice.org.uk>

Protect Advice Line: call 020 3117 2520 or use webform <https://protect-advice.org.uk/contact-protect-advice-line/>

UK government advice on 'Whistleblowing for employees'

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

Acas guidance on whistle-blowing

<https://www.acas.org.uk/whistleblowing-at-work>

### **Reporting a concern to an external body**

The full list of prescribed persons and bodies can be found on the UK government website at [www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2/whistleblowing-list-of-prescribed-people-and-bodies](http://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2/whistleblowing-list-of-prescribed-people-and-bodies) .

They include

- HM Revenue & Customs
- the Comptroller and Auditor General
- the Director of the Serious Fraud Office
- the Charity Commission for England and Wales
- the Information Commissioner
- the Equality and Human Rights Commission
- the Health and Safety Executive
- the Care Quality Commission
- the Environment Agency.