

LAMBOURNE END COMPLAINTS AND WHISTLEBLOWING POLICY

COMPLAINTS

Any user of our services has the opportunity to complain about unfair treatment or dissatisfaction with some aspect of our service through the complaints procedure either verbally or in writing. If a complaint is made about a member of staff or volunteer it is important that their supervisor is notified as soon as possible. They have the right to be informed of the nature of the complaint and asked to give the supervisor their account of what happened.

WHISTLE-BLOWING POLICY

If at any time an employee feels that he or she needs to raise issues relating to the Organisation, they must follow the procedure below.

As part of our commitment to the highest standards of quality, probity, openness and accountability, we encourage employees, volunteers or others with serious concerns about any part of our work to come forward and express those concerns. In many cases, concerns or complaints will be dealt with through normal procedures. However, in some cases, it is recognised that employees, volunteers and beneficiaries will need to come forward on a confidential basis. They should be able to do this without fear of reprisal or victimisation.

This policy is intended to underline our commitment to our employees, volunteers and beneficiaries or for any who come forward to express their concerns.

PUBLIC INTEREST DISCLOSURES

We believe that honest and effective communications with our employees and all business contacts are vital to the success of our business. If at any time you feel that you need to raise issues relating to our business, you must follow the procedure below.

If you are to be protected, the Public Interest Disclosure Act must cover the disclosure. A qualifying disclosure is made in good faith, in the reasonable belief that the allegations are substantially true, not for personal gain and reasonable in all the circumstances for the disclosure to be made. If this is found not to be the case, your disclosure will not be protected and you may be liable to disciplinary action, up to and including dismissal.

The disclosure must in your reasonable belief show one or more of the following within the Company:

- A criminal offence has been, is being or is likely to be committed
- Someone has failed, is failing or is likely to fail to comply with their legal obligations
- A miscarriage of justice has, is or is likely to occur
- The health and safety of someone has been, is or is likely to be endangered
- The environment has been, is or is likely to be damaged

If information about any matter in the above has been, is or is likely to be deliberately concealed you must raise the matter with your manager. This may depend however on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. For example, if you believe that management is involved you should approach a more senior level of management.

Please note that you will not qualify for protection if either you commit a criminal offence in making the disclosure e.g. a breach of the Official Secrets Act, or it is a disclosure in respect of which legal professional privilege would apply.

LAMBOURNE END COMPLAINTS AND WHISTLEBLOWING POLICY

To make a protected disclosure you must initially make it in one of the following ways:

- Disclosure to the Company, or the person legally responsible or an appropriate individual authorised by the Company to receive disclosures
- Disclosure to a prescribed person (i.e. bodies prescribed by an order made by the Secretary of State, e.g. the Environment Agency, the Health and Safety Executive and the Data Protection Registrar)

If you fail to do this, you will only retain protection if this is due to a reasonable belief that you will be victimised or evidence being concealed or destroyed or you have already made the disclosure. In these circumstances a disclosure would be made in one of the following ways:

- Disclosure to a legal advisor
- Disclosure to a government minister, where your employer is appointed by a minister
- A disclosure to an individual unconnected with the Organisation (external disclosures), e.g. police or media
- Disclosure in exceptionally serious cases

With the exception of a disclosure to a legal advisor, all disclosures must be made "in good faith".

In making a disclosure to the Company all information that you provide will be treated with the strictest confidence. There will be further investigation, that may result in a disciplinary interview and you may be called as a witness.

If you reasonably believe the failure is to do with someone who is not part of the Company or is not the responsibility of the Company, you must raise the matter with that person.

SAFEGUARDS AND VICTIMISATION

We recognise that the decision to report a concern can be a difficult one to make. If what you are saying is true, you should have nothing to fear because you will be doing your duty to your employer and those for whom you provide a service. You will be protected from possible reprisals or victimisation if you have a reasonable belief that you have made any disclosure which is in the public interest.

We will take steps to ensure that your working environment and / or relationships are not prejudiced by the disclosure and we will not tolerate any harassment or victimisation (including informal pressures). We will take appropriate action to protect you when you raise a concern which is in the public interest.

CONSULTATION

We will consult and involve staff and volunteers as we develop our procedures and practices on confidential reporting. This will be done through consultation at team and management levels.

Through induction and staff and volunteer development work, we will ensure that staff know how to recognise the following problems and that understand the effects they may have on the Organisation, the work and the service staff provide.

- Fraud, corruption and malpractice
- Abuse or neglect of vulnerable people
- Failure to deliver the proper standards of service
- Damaging personal effects

LAMBOURNE END COMPLAINTS AND WHISTLEBLOWING POLICY

- Bullying, discrimination, harassment or victimisation in the work place

We will ensure that staff know what is expected of them and what practices we regard as unacceptable. Staff are expected to check all the relevant policies especially the confidentiality policy carefully and discuss anything that seems unclear with the line manager. If staff are not sure what to do in any given situation, ask before taking any action.

WHO TO CONTACT

In most cases, staff will be able to raise concerns with their line manager. If, for some reason, this is not possible, you should speak to their line manager, the relevant senior manager or the Chief Executive. All such contacts will be treated in confidence.

If staff have concerns about their line manager, they should contact their manager, the relevant senior manager or the Chief Executive. Staff should talk to them directly and ask for a confidential meeting. Staff are entitled to bring someone with them to the meeting - a friend, colleague or another advisor. All such contact will be treated in confidence. If a line manager tries to victimise a member of staff because of such action, irrespective of whether the complaint is upheld, we will treat this as a disciplinary offence.

If our policy and procedures are working properly, staff should not need to contact one of the Organisation's Committee Members or some external agency to express concerns. But there may be exceptional or urgent circumstances where it might be best to contact an external agency. If is not possible to give precise examples, however, a relevant example might be:

- If the problem involved a very senior staff member of the Organisation – contact the Chair of the Board or a Board Member
- In the case of a criminal offence call the Police
- In the case of any fraud, call the Organisation's external auditors or the Charity Commission or the Police (Fraud Squad)

We hope that none of these will ever prove necessary.

Staff can also approach Protect – Speak Up Stop Harm for confidential and independent advice – the address is:

The Green House
244-254 Cambridge Heath Road
London, E2 9DA

Tel: 020 3117 2520
Website: [https://protect-
advice.org.uk/](https://protect-advice.org.uk/)

Signed:



Date: 03/09/23

Position: CEO