

Sussex Community Rail Partnership Ltd.

Policy number: 14

Policy Title: Whistle blowing policy

This policy applies to all staff (to include Directors, partners, employees and volunteers, referred to below as "staff") of SCRP.

### **Introduction**

Staff members are often the first to realise that there may be something seriously wrong within an organisation. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the organisation. They may also fear harassment or victimisation. In these circumstances it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice.

SCRP is committed to the highest possible standards of openness, probity and accountability. In line with that commitment we expect staff and others that we deal with, who have serious concerns about any aspect of the organisation's work to come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis and that you can do so without fear of victimisation, subsequent discrimination or disadvantage. This whistle-blowing policy is intended to encourage and enable staff to raise serious concerns within the organisation rather than overlooking a problem or airing their complaints outside the organisation.

This policy is in addition to SCRP's complaints policy. Where appropriate, staff are responsible for ensuring Partnership service users are aware of the contents of this policy.

### **Aims and Scope**

This policy is intended to cover concerns which are in the public interest and may at least initially be investigated separately, but then might lead to the invocation of other procedures e.g. disciplinary. These concerns include:

- Financial malpractice, impropriety or fraud.
- Failure to comply with a legal obligation or statutes.
- Dangers to Health & Safety or the environment.
- Conduct which is a breach of the law.
- Improper or unethical behaviour.
- Attempts to conceal any of these.

There are existing procedures in place to enable the lodging of a grievance relating to employment matters.

### **Safeguards**

This policy is designed to offer protection to those staff of SCRP who disclose such concerns provided the disclosure is made:

- in good faith
- in the reasonable belief of the individual making the disclosure that it tends to show malpractice or impropriety and if they make the disclosure to an appropriate person.

### **Confidentiality**

SCRP will treat all such disclosures in a confidential and sensitive manner. The identity of the individual making the allegation may be kept confidential so long as it does not hinder or frustrate

any investigation. However, the investigation process may reveal the source of the information and the individual making the disclosure may need to provide a statement as part of the evidence required.

### **Anonymous Allegations**

This policy encourages individuals to put their name to any disclosures they make. Concerns expressed anonymously are much less credible, but they may be considered at the discretion of SCRP.

### **Untrue Allegations**

If an individual makes an allegation in good faith, which is not confirmed by subsequent investigation, no action will be taken against that individual. In making a disclosure the individual should exercise due care to ensure the accuracy of the information. If, however, an individual makes a frivolous, malicious or vexatious allegation, and particularly if he or she persists with making them, disciplinary action may be taken against that individual.

### **How to raise a concern**

Concerns should be reported to the Chairman of the Line Group and may be raised verbally or in writing. Staff should report the concern at the earliest opportunity so that action can be taken and will need to demonstrate that there are reasonable grounds for concern.

If the concern relates directly to the Chairman of the Line Group, the staff member must raise the matter with another Director of the Company.

### **Investigating procedure**

The Chairman of the Line Group or an appointed investigating officer should follow these steps:

- Full details and clarifications of the complaint should be obtained.
- Within 10 days, acknowledge to the complainant that the complaint has been received; indicate how it is proposed to deal with the matter and inform them whether further investigations will take place and if not, why not.
- Inform the member of staff against whom the complaint is made as soon as is practically possible. The member of staff will be informed of their right to be accompanied by a trade union or other representative at any future interview or hearing held under the provision of these procedures.
- If there is evidence of criminal activity then the investigating officer should inform the police.
- The allegations should be fully investigated by the investigating officer with the assistance where appropriate, of other individuals / bodies.
- A judgement concerning the complaint and validity of the complaint will be made by the investigating officer. This judgement will be detailed in a written report containing the findings of the investigations and reasons for the judgement. The report will be passed to the Chairman of the Ltd. Board as appropriate.
- The Chairman of the Ltd. Board will decide what action to take. If the complaint is shown to be justified, then they will invoke the disciplinary or other appropriate SCRP procedures.
- The complainant should be kept informed of the progress of the investigations and, if appropriate, of the final outcome.
- If appropriate, a copy of the outcomes will be passed to the SCRP auditors to enable a review of the procedures.
- If the investigation finds the allegations unsubstantiated and all internal procedures have been exhausted, but the complainant is not satisfied with the outcome of the investigation, SCRP recognises the lawful rights of staff and ex-staff to make disclosures to prescribed persons (such as the Health and Safety Executive, the Audit Commission, or the utility regulators), or where justified, elsewhere.
- All responses to the complainant should be in writing and sent to their home address.

	<b>Draft agreed by</b>	<b>Considered by Board</b>	<b>Final version approved</b>	<b>Review</b>
Date				Annually
<b>Date Reviewed</b>	<b>Reviewed By</b>		<b>Comments</b>	