



Whistleblowing

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This policy reflects legislation and official guidance at the time it was last reviewed. Any changes in legislation will take precedence over anything printed in this policy. Where other policies are referred to they can be viewed at the Policy Library.

Whistleblowing

Links with other RSN policies and practices

This policy links with the following other RSN policies and practices:

- Bullying and Harassment
- Complaints
- Employee Handbook – February 2022
- Grievance Policy

1. Introduction

1.1 The RSN is committed to the highest standards of transparency, probity, integrity and accountability and we expect all staff, trustees, freelancers and volunteers to maintain high standards in accordance with our code of conduct and our employee handbook. All organisations face the risk of things going wrong, so a culture of openness and accountability is essential to prevent such situations from occurring and to address them when/if they do. We encourage people to raise any concerns they may have about any wrongdoing at any level within the business.

1.2 This policy sets out the procedure for dealing with allegations of illegal and improper conduct. It aims to detail how to raise concerns and encourage them to report suspected wrongdoing as soon as possible without fear of reprisal even if concerns turn out to be mistaken. Their concerns will be taken seriously and investigated appropriately, and confidentiality will be respected to the extent possible. If confidentiality cannot be guaranteed, the whistleblower will be asked if they wish to proceed.

1.3 All relevant contact details are listed at the end of this policy.

2. Scope

2.1 This policy and procedure applies to all RSN staff, trustees, freelancers and volunteers and is intended to ensure the RSN complies with its duty under the Public Interest Disclosure Act 1998.

2.2 Personal grievances (for example bullying, harassment, discrimination) are not covered by whistleblowing law, unless your particular case is in the public interest, and should be reported following the relevant RSN policy such as the Grievance or Harassment and Bullying Policies.

2.3 If you are uncertain whether something is within the scope of this policy, you should seek advice from the Whistleblowing Officer.

3. Roles and Responsibilities

3.1 The RSN Council has the overall responsibility for this policy, for determining the administrative processes to be followed and the format of the records to be kept and for reviewing the effectiveness of actions taken in response to concerns raised under this policy.

3.2 The Whistleblowing Officer (Chief Executive) has day-to-day operational responsibility for this policy, for ensuring that managers and other staff who may deal with concerns or investigations under this policy receive regular and appropriate training and for reporting annually to trustees on the operation of the procedure and any whistleblowing allegations made during the period covered by the report. If a concern is about the Whistleblowing Officer then the Whistleblowing Trustee should be contacted instead and they will then act as the Whistleblowing Officer for that concern.

3.3 All those listed as in scope in 2.1 are responsible for the success of this policy and should ensure that they use it to disclose any suspected danger or wrongdoing. They are invited to comment on this policy and suggest ways in which it might be improved. Comments, suggestions and queries should be sent to the Whistleblowing Officer or the Whistleblowing Trustee.

4. Raising a Whistleblowing Concern

4.1 It is hoped in many cases people will be able to raise any concerns with their line manager or a senior leader depending on the seriousness and sensitivity of the issues involved and who is suspected of malpractice. They may be able to agree a resolution quickly and effectively.

4.2 If a matter is more serious, or you feel your line manager / senior leader / RSN contact has not addressed your concern, or you prefer not to raise it with them for any reason, you should contact the Whistleblowing Officer or the Whistleblowing Trustee.

5. Information Requested

5.1 Concerns can be raised by written or oral report. The following relevant details are requested.

- The name of the person making the allegation and a contact point
- The background and history of the allegation (giving relevant dates and names and positions of those who may be in a position to have contributed to the allegation)
- The specific reason for the allegation. Although you will not be expected to prove the truth of any allegations, you will need to provide information to the person you have reported to, to establish there are reasonable grounds for the allegation.

6. Action on receipt of an Allegation

6.1 A meeting will be arranged with you as soon as possible (usually within 5 working days of receipt of the allegation) to discuss your concern and carry out an initial assessment to determine the scope of any investigation. We will inform you of the outcome of our assessment.

6.2 You may be required to attend additional meetings in order to provide further information. Someone making an allegation may be accompanied by another person of their choosing during any meetings or interviews in connection with the allegation. However, if the matter is subsequently dealt with through another procedure the right to be accompanied will at that stage be in accordance with the relevant procedure. Your companion must respect the confidentiality of your disclosure and any subsequent investigation.

6.3 We will record details of the allegation, gathering as much information as possible, including:

- The record of the allegation
- The acknowledgement of the allegation
- Any documents supplied by the whistleblower

6.4 We will confirm with you that you wish to proceed with the allegation which will then be investigated as appropriate. A written summary of your concern will be made and you will be provided with a copy after the meeting. Where possible you will also be given;

- An indication of how we 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 on whistleblower support mechanisms
- An indication whether further investigations will take place and if not, why not

6.5 In some cases we may appoint an investigator or team of investigators including staff with relevant experience of investigations or specialist knowledge of the subject matter. The investigator(s) may make recommendations for change to help minimise the risk of future wrongdoing.

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

6.7 If the allegation relates to fraud, potential fraud or other financial irregularity the Treasurer will be informed within 5 working days of receipt of the allegation. The Treasurer will determine whether the allegation should be investigated and the method of investigation.

6.8 If the allegation discloses evidence of a criminal offence it will immediately be reported to the Trustee Council and a decision will be made as to whether to inform the Police. If the allegation concerns safeguarding matters the appropriate authorities will be informed immediately.

6.9 If the issue is around suspected harm to vulnerable adults, the Safeguarding Policy should be consulted.

7. Confidentiality

7.1 We hope relevant stakeholders will feel able to voice whistleblowing concerns openly under this policy. However, if you want to raise a concern confidentially, we will make every effort to keep your identity secret unless you request otherwise. If it is necessary for anyone investigating your concern to know your identity, we will discuss this with you.

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

8. Anonymous Allegations

8.1 We do not encourage people to make disclosures anonymously as they will not be accepted. You are a whistleblower if you are a worker and you report certain types of wrongdoing. This procedure encourages whistleblowers to put their name to an allegation and request confidentiality wherever possible.

8.2 Allegations made anonymously are much less powerful but anonymous allegations will be considered at the discretion of the CEO/ Whistleblowing Trustee taking into account the following

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

9. Protection and support for whistleblowers and the accused

9.1 It is understandable that whistleblowers are sometimes worried about possible repercussions. We aim to encourage openness and will support those who raise genuine concerns under this policy, even if they turn out to be mistaken.

9.2 Whistleblowers must not suffer any detrimental treatment as a result of raising a genuine concern. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If you believe you have suffered any such treatment, you should inform the Whistleblowing Officer or Whistleblowing Trustee immediately. If the matter is not remedied, you should raise it formally using our Grievance Procedure.

9.3 RSN employees must not seek to identify, threaten or retaliate against whistleblowers in any way. Anyone involved in such conduct may be subject to disciplinary action. In some cases the whistleblower could have a right to sue that person for compensation in an employment tribunal.

9.4 Whistleblowers or the accused who are concerned about possible reprisals if their identity is revealed should come forward to one of the contacts listed at the end of this policy and appropriate measures can then be taken to preserve confidentiality. If you are in any doubt you can seek advice from 'Protect', the independent whistleblowing charity, who offer a confidential helpline.

9.5 The RSN will take steps to minimise any difficulties which may be experienced as a result of making an allegation. For instance, if an employed member of staff is required to give evidence in criminal or disciplinary proceedings, we will arrange for them to receive advice about the procedure and advise on any support mechanisms are available.

10. Investigation outcome

10.1 Whistleblowers need to be assured that the matter has been properly addressed. Thus, we will aim to keep you informed of the progress of the investigation and likely timescale and, subject to legal constraints, the outcome of any investigation. However, sometimes the need for confidentiality may prevent us giving you specific details or disciplinary action taken as a result. You should treat any information about the investigation or disciplinary action taken as a result as confidential.

10.2 Where the allegation has been made internally and anonymously, we will obviously be unable to communicate what action has been taken.

11. If you are not satisfied

11.1 While we cannot always guarantee the outcome you are seeking, we will try to deal with your concern fairly and in an appropriate way. By using this policy you can help us to achieve this.

11.2 If you are not happy with the way in which your concern has been handled, you can raise it with our trustees.

12. External disclosures

12.1 The aim of this policy is to provide an internal mechanism for reporting, investigating and resolving any wrongdoing in the workplace and is designed to avoid distress decisions (the need to alert anyone externally e.g. anonymous social media posting).

12.2 The law recognises in some circumstances it may be appropriate to report concerns to an external body such as a regulator. We strongly encourage you to seek advice before doing so. The independent whistleblowing charity, Protect, operates a confidential helpline.

12.3 Whistleblowing concerns usually relate to the conduct of staff but may sometimes relate to the actions of a third party, such as a customer, supplier or service provider. In some circumstances the law will protect you if you raise the matter with the third party directly. However, we encourage you to report such concerns internally first to one of the contacts listed at the end of this policy.

13. Unfounded Allegations

13.1 Even if your concern proves to be unfounded you will be protected against any reprisals from your manager, colleagues or other employee of the RSN. No disciplinary or other action

will be taken against a whistleblower who makes an allegation in the reasonable belief it is in the public interest to do so even if it is not substantiated by an investigation.

13.2 Making a deliberately false allegation, however, against the RSN, a fellow employee or any other person without reasonable belief it is in the public interest to do so will be treated as gross misconduct and will usually result in dismissal.

13.3 If you are the subject of an allegation of wrongdoing then you will be informed of the allegation and given every opportunity to explain the situation and put your side of the story. Disciplinary action will only be taken following a full investigation in accordance with the disciplinary procedure.

14. Monitoring

14.1 A confidential register, available for inspection only by trustees, will record the following:

- The name and status (e.g. employee) of the whistleblower
- The date the allegation was received
- The nature of the allegation
- Details of 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

14.2 The CEO will report annually to trustees on this procedure and any whistleblowing allegations made during the year. The report will be in a form which does not identify whistleblowers.

15. Contact Details

Whistleblowing Officer: Dr Susan Kay-Williams, CEO, The Royal School of Needlework
susan.kay-williams@royal-needlework.org.uk

Whistleblowing Trustee: TBC
[Whistleblowing@royal-needlework.org.uk]

Sources of information: Protect (formerly Public Concern at Work) is a charity which advises individuals with whistleblowing dilemmas at work, supports organisations with whistleblowing arrangements and informs public policy and seeks legislative change. Their advice line is 020 3117 2520. An email form can be found at protect-advice.org.uk

16. Definitions

Whistleblower: a worker who passes on information concerning wrongdoing which is typically (but not necessarily) something they have witnessed at work. To be covered by whistleblowing law, they must reasonably believe they are acting in the public interest (personal grievances and complaints are not usually covered by whistleblowing law) and that the disclosure tends to show past, present or likely future wrongdoing.

Whistleblowing: The act of reporting. Whistleblowing law is located in the Employment Rights Act 1996 (as amended by the Public Interest Disclosure Act 1998). A concern can be raised at any time about an incident that happened in the past, is happening now, or believed will happen in the near future and relate to suspected wrongdoing or dangers at work including:

- a) criminal activity; failure to comply with any legal or professional obligation or regulatory requirements
- b) miscarriages of justice
- c) danger to health and safety

- d) damage to the environment
- e) bribery
- f) financial fraud or mismanagement
- g) negligence
- h) breach of our internal policies and procedures
- i) conduct likely to damage our reputation
- j) unauthorised disclosure of confidential information
- k) safeguarding issues
- l) the deliberate concealment of any of the above matters