

Policy number	3.33
Subject	Whistleblowing Policy
Directorate responsible	Human Resources
Date last reviewed/by whom	November 2023 Assistant Director of Quality and Safeguarding
Date to be reviewed	November 2025

Policy

Linkage Community Trust are committed to seeking to run all aspects of Linkage business and activity with full regard for high standards of conduct and integrity, of tackling fraud and other forms of malpractice should they arise, and of creating a climate of trust and openness so that a person who has a genuine concern or suspicion can raise the matter confident that it will be appropriately considered and resolved.

This Policy applies to all Linkage employees and bank staff. Other individuals performing work on behalf of the Trust such as contractors and agency staff are encouraged to use it.

The Policy establishes a framework within which issues can be raised confidentially within and, if necessary, outside the management structure of Linkage.

Background

The Public Interest Disclosure legislation, commonly referred to as the “Whistleblowing Act”, provides protection to individuals who raise legitimate concerns about specified matters. These are called “qualifying disclosures”. A qualifying disclosure is one made in the public interest by a discloser who has a reasonable belief that:

- any criminal activity (e.g. fraud and financial irregularities)
- malpractice
- a breach of health and safety regulations
- causing damage to the environment
- abuse of position
- miscarriages of justice
- failure to comply with legal obligations
- serious breaches of the Trust’s procedures which may advantage a particular party
- unethical conduct
- concealment of any of the above

is being, has been, or is likely to be committed. An individual who makes such a protected disclosure has the right not to be dismissed, subjected to any other detriment, or victimised, because they have made a disclosure.

It is Linkage’s intention to comply fully with the requirements of this legislation and the Whistleblowing Code of Practice.

Actions

The discloser should raise their concerns internally in the first instance to allow the Linkage staff and Trustees in positions of responsibility and authority the opportunity to investigate the concern and if proven, to be given an explanation for the behaviour or activity. Information can be sent to the letusknow@linkage.org.uk email or by submitting the feedback form online at www.linkage.org.uk . Additionally, the discloser can call the Let Us Know Voicemail box on **01472 372300**, and leave details of the concerns they have, and can remain anonymous if they chose to.

The following individuals have been designated to specifically deal with such matters and the discloser is invited to decide which of these individuals would be the most appropriate person to contact:

- Assistant Director of Quality and Safeguarding
- The Chief Executive
- The Vice Chair of Trustees
- The Chair of Trustees

Contact details may be obtained in the first instance by calling the Chief Executive's PA on: 01790 755005

All matters will be treated in confidence and anonymity will be respected wherever possible.

Progression

Where the discloser has given contact details.

A written acknowledgement of the receipt of the concern will be sent within 5 days to the discloser at their home address.

Because of the nature of investigations of this type it is not possible to stipulate specific timescales beyond the initial acknowledgement. However, the discloser will be kept informed of the progress of the investigation.

In some circumstances the Whistleblower will be referred to the Grievance Policy if the circumstances warrant it, and the case will be escalated to the Human Resources team.

The assessor(s) will carry out a preliminary investigation to establish the facts of the matter and assess whether the concern has foundation and can be resolved internally. The initial assessment may identify the need to involve third parties to provide further information, advice or assistance for example, involvement of other members of Linkage staff, auditors, legal or personnel advisors, the police or regulatory bodies.

Records will be kept of work undertaken and actions taken throughout the investigation. The investigating officer(s), in conjunction with the Board of Trustees, if appropriate, will consider how best to report the findings and what corrective action needs to be taken.

The discloser will be informed of the results of the investigation and the action taken to address the matter. Depending on the nature of the concern or allegation and whether it has been substantiated, the matter will be reposted to the Board of Trustees.

Where the discloser has chosen to stay anonymous, we will follow the above process but will be unable to provide feedback following the investigation.

Respecting Confidentiality

Wherever possible, Linkage will seek to respect the confidentiality and anonymity of the discloser. Linkage will not tolerate any attempts to prevent concerns being raised, or subsequent bullying, harassment or the subjecting of a discloser to a detriment further to the raising of concerns and will consider any necessary disciplinary or corrective action appropriate to the circumstances.

Further Steps

If the discloser is dissatisfied with the conduct of the investigation or resolution of the matter or has genuine concerns that the matter has not been handled appropriately, the concerns should be raised with the investigating officer(s) and/or the Board of Trustees. If they are still not satisfied, they may report it to one of the following bodies:

- Care Quality Commission
- Ofsted
- Charity Commission

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

- HM Revenue and Customs
- The Financial Conduct Authority

- The Competition and Markets Authority
- The Health and Safety Executive
- The Environment Agency
- The Independent Office for Police Conduct, and
- The Serious Fraud Office

Unfounded Concerns

Individuals are encouraged to come forward with genuine concerns in the knowledge they will be taken seriously. If anyone uses this Policy to make false accusations (i.e. not made in good faith), they will be committing a disciplinary offence. Willful misuse of this Procedure could, after appropriate investigation, constitute an act of gross misconduct and may lead to dismissal.

Data Protection

When an individual makes a disclosure, the Trust will process any personal data collected in accordance with its Data Protection Policy.

Appendices

Appendix 3.33.01 Let Us Know Poster