



Whistleblowing Policy - June 2021)

1 Policy statement

- 1.1 Transom Trust is committed to conducting its affairs lawfully and takes any allegation of malpractice, criminal behaviour, corruption or other wrongdoing very seriously. Occasionally an individual may believe that malpractice is happening, has happened, or is likely to happen. The purpose of this policy is to encourage volunteers and employees to raise their concerns within Transom Trust, so that they may be properly addressed.
- 1.2 Any individual who reports a wrongdoing will be treated fairly and sensitively. There may be occasions when an individual may be mistaken in their allegation, but they will have nothing to be concerned about provided they acted honestly, responsibly and with good faith. All individuals are covered by this policy (including volunteers, paid staff, contractors etc).

2 Purpose and scope

- 2.1 The law provides protection for individuals who raise legitimate concerns about specified matters. These are called “qualifying disclosures” – ie: a disclosure made in the public interest by an individual who has a reasonable belief that one or more of the following acts is being, has been, or is likely to be, committed:
- a criminal offence;
 - a miscarriage of justice;
 - an act creating risk to health and safety;
 - an act causing damage to the environment;
 - a breach of any other legal obligation;
 - a concealment of any of the above.
- 2.2 It is not necessary for the individual to have proof that such an act is being, has been, or is likely to be, committed - a reasonable belief is sufficient. The individual has no responsibility for investigating the matter. It is Transom Trust’s responsibility to ensure that an investigation takes place. Please refer to other procedures for concerns that do not fall into one of the categories above – eg: disciplinary and grievance procedures. Additional information and guidance can also be found at Protect via this link: <https://protect-advice.org.uk/>
- 2.3 It is important that any individual who raises a concern makes themselves known, since it will usually be necessary to obtain more precise information regarding the issue. Generally, anonymous allegations will be investigated, but the ability to act on these may be limited. Transom Trust recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from those responsible for the malpractice. Transom Trust will not tolerate bullying, harassment or victimisation and will take action to protect an individual who raises a concern.

- 2.4 This does not mean that if an individual is already the subject of other procedures (eg: disciplinary and grievance) that those procedures will be automatically halted as a result of the whistleblowing.
- 2.5 Transom Trust will do its best to protect the individual's identity when they raise a concern and do not want their name to be disclosed. It will be appreciated, however, that investigation of the allegation may reveal the source of the information and a statement by the individual may be required as part of the evidence.
- 2.6 If the individual raises a concern, but it is not confirmed by the investigation, no action will be taken against that individual. However, misuse of this procedure and/or maliciously making a false allegation may result in disciplinary action.

3 Procedure

- 3.1 In the first instance, any concerns should be raised with the individual's project leader, if they are not the subject of the disclosure, or to one of Transom Trust's Trustees.
- 3.2 Concerns are better raised in writing and should contain the:
- background and history of the concern;
 - names of those involved;
 - dates and places if possible;
 - and the reason why the individual is particularly concerned about the situation.
- 3.3 If the individual does not feel able to put their concern in writing, they can telephone or meet the appropriate manager.
- 3.4 An instruction to cover up wrongdoing is itself a disciplinary offence. If an individual is told not to raise or pursue a concern, they should not remain silent but raise the matter at a higher internal level.

4 How Transom Trust will respond

- 4.1 The action taken by Transom Trust will depend on the nature of the concern. The matters raised may be investigated and could potentially be referred to the police, professional bodies or external regulators.
- 4.2 Initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Concerns or allegations which fall under the scope of specific procedures will normally be referred for consideration under those procedures as appropriate – eg: Reporting of Injuries, Diseases and Dangerous Occurrences Regulations, Data Protection etc. Some concerns may be resolved by agreed action without the need for investigation.
- 4.3 The amount of contact between Transom Trust and the individual will depend on the nature of the matters raised, the potential difficulties involved, and the clarity of the information provided. If necessary, further information will be sought from the individual.

- 4.4 Transom Trust will take steps to minimise any difficulties which the individual may experience as a result of raising a concern. For example, if the individual is required to give evidence in disciplinary proceedings, Transom Trust will advise them about the procedure.
- 4.5 Transom Trust recognises that individuals need to be assured that the matter has been properly addressed. Therefore the individual will be told the outcomes of any investigation and what Transom Trust has done or proposes to do, though such feedback may be affected by legal or other constraints. If no action is to be taken, the reason for this will be explained.
- 4.6 This policy is intended to provide individuals with an avenue to raise concerns. If individuals are not satisfied with the outcome of the investigation, they may raise the issue with the next level of management, including the Trustees, where no other level of management exists.
- 4.7 If the individual making the protected disclosure still reasonably believes that the appropriate action has not been taken, they may report the matter to the proper authority.

5 Safeguarding children and adults at risk of harm

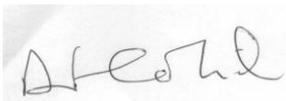
- 5.1 Concerns about the abuse or suspected abuse of children or vulnerable adults should be made by following the relevant Safeguarding procedures.
- 5.2 If there is an imminent risk of significant harm, the police or the local social services must be contacted in the first instance. For full information, refer to the Safeguarding Policy or speak to one of the Trust's trustees.

6 Supporting procedures and guidelines

- 6.1 This policy is supported by the following procedures and other guidelines:
- Safeguarding Vulnerable Adults Policy;
 - Professional Boundaries Policy;
 - Disciplinary Procedure;
 - Grievance Procedure;
 - Lone Working Policy.

Approved at Trustees meeting on: 09/06/21

Signature (on behalf of Sue Worthing, Chair of Trustees)



Date: 09/06/21

Next review date: 09/06/23