



# New Galloway Community Enterprises Ltd

## **Public Interest Disclosure Policy**

### **(Whistle Blowing Policy)**

We encourage an open culture in all our dealings with employees, managers and all the people with whom we come into contact. Effective and honest communication is essential if malpractice is to be effectively dealt with. The procedure below provides guidelines to all our Board members, employees, casual, temporary agency staff, freelancers, trainees, volunteers and contractors, who feel they need to raise certain issues, in confidence.

The Public Interest Disclosure Act 1998 (commonly known as the 'Whistle Blowing Act') protects workers who raise legitimate concerns about specified matters from being dismissed by New Galloway Community Enterprises or being subjected to detrimental treatment or victimised by either New Galloway Community Enterprises or colleagues as a result, provided certain criteria are met. Certain kinds of disclosures qualify for protection and these are set out below. These are disclosures of information which a worker reasonably believes are made in the public interest and tend to show one or more of the following relevant failures is either happening now, took place in the past, or is likely to happen in the future.

- A criminal offence has been committed including offences such as theft, fraud or acts of bribery
- A person has failed, is failing, or is likely to fail to comply with a legal obligation which they are subject to
- A miscarriage of justice
- A danger to health and safety of any individual, including concerns about the Safeguarding of children and vulnerable adults.
- Damage to the environment
- Deliberate covering up of information tending to show any of the above five matters.

This procedure is not a substitute for the Disciplinary and Grievance policies and is not a channel for employees to raise matters in relation to their terms and conditions of employment. The procedure allows individuals to have their concerns treated in confidence.

#### **Your protection**

If you raise a genuine concern, you will not be at risk of damaging your position as a result. Provided you are acting in the public interest it does not matter whether or not your concern proves to be well founded. You must however make your complaint to the right person and in the right way as detailed in this policy. New Galloway Community Enterprises does not extend this assurance to someone who acts from an improper motive and raises a matter they know to be untrue.

## **Your confidence**

New Galloway Community Enterprises will not tolerate the victimisation of anyone raising a genuine concern and anyone responsible for such conduct will be subject to disciplinary action. You may decide that you want to raise a concern in confidence. Therefore, if you ask for your identity to be protected, it will not be disclosed without your consent. If a situation arises where it is not possible to deal with the concern without revealing your identity (for instance because your evidence is needed in court or a disciplinary hearing), there will be a discussion as to whether and how we can proceed. This policy does not cover the situation where information about malpractice is received anonymously; however discretion will be used in the investigation of such information.

## **How to raise your concern**

### ***Stage 1: Internal Line Management***

If you have a concern about malpractice, we hope you will feel able to raise it first with your line manager. This should be done in writing. It will help if you state the facts of the matter clearly. You can outline how you would like it to be investigated. If you have a direct or personal interest in the matter, you should also tell us at this stage.

### ***Stage 2: Alternative Contacts***

If you feel unable to raise the matter with someone in your line management, for whatever reason, please speak to the Chair of the Board of New Galloway Community Enterprises.

If you want to raise the matter in confidence, we will ensure that practical measures are put in place to protect your identity. We will contact you by the most secure means. We will not disclose your identity without your consent, unless we are required to do so by law.

Once you have reported your concern, New Galloway Community Enterprises will look into it to assess initially what action should be taken. If your concern falls more appropriately within other policies we will tell you. The Board will delegate an appropriate person, not involved with the complaint, to carry out the investigation.

The disclosure will be treated seriously and promptly investigated and as part of the process the worker will be interviewed and asked to provide a written statement.

Once New Galloway Community Enterprises has finalised the investigation any necessary actions will be taken promptly and effectively.

While the purpose of this policy is to enable us to investigate possible malpractice and take appropriate steps to deal with it, we will give you as much feedback as we properly can. If requested, we will confirm our response to you in writing. Please note, however, that we may not be able to tell you the precise action we take where this would infringe a duty of confidentiality owed by us to someone else, or for legal reasons.

**If you are dissatisfied**

If you as complainant are unhappy with New Galloway Community Enterprises' response, you may then go to the proper authority. However, we do ask that matters are reported to New Galloway Community Enterprises in the first instance. While we cannot guarantee that we will respond to all matters in the way that you might wish, the matter will be handled fairly and properly. By using this policy, you will help us to achieve this.

NGCE Ltd, April 2018