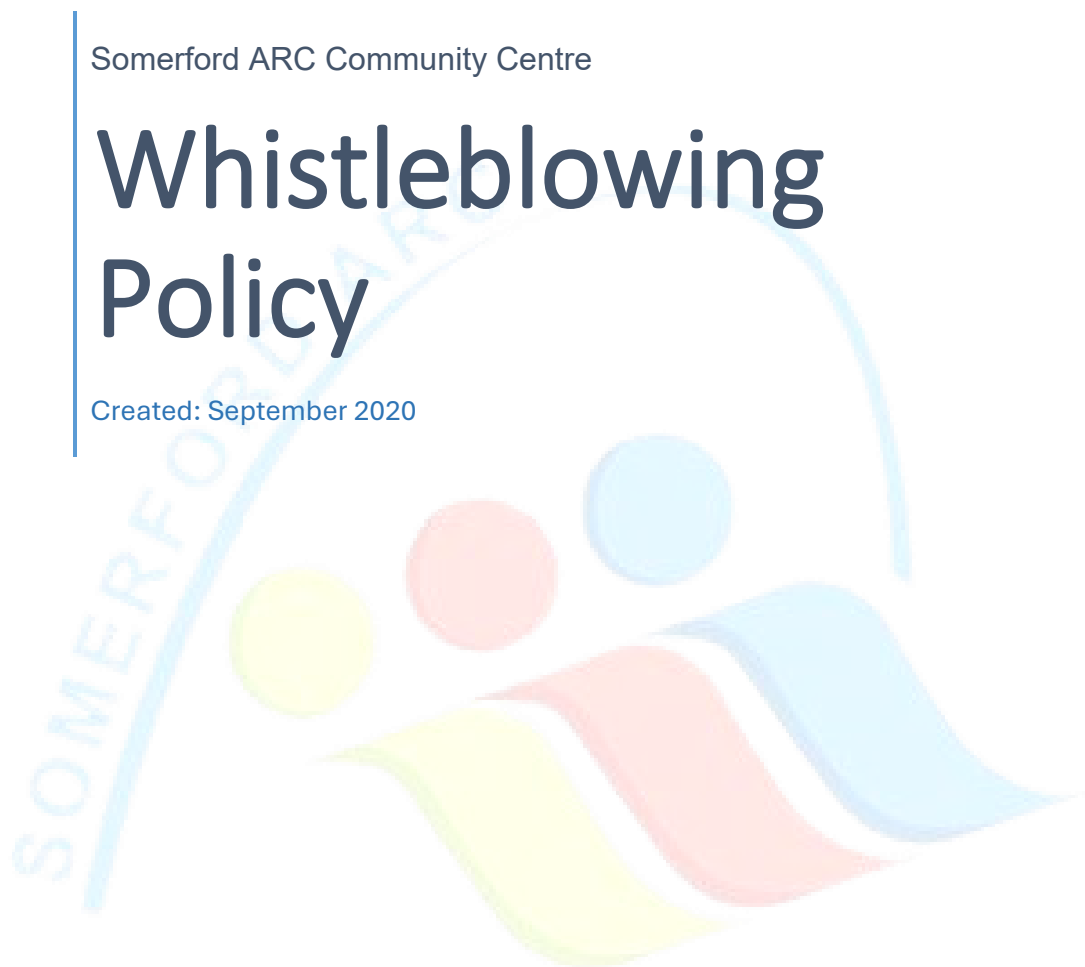


Charity Number: 1156427

Somerford ARC Community Centre

Whistleblowing Policy

Created: September 2020



General Statement of Policy

Somerford ARC Community Centre is committed to maintaining an open, honest, and accountable environment. We believe that Trustees, employees and volunteers should feel safe, supported, and free to raise concerns about wrongdoing without fear of retaliation or disadvantage.

This Policy provides a clear and confidential process for reporting concerns that are in the public interest, ensuring they are addressed fairly, promptly and appropriately.

It is not intended to replace the organisations grievance, disciplinary, safeguarding, or complaints procedures; rather, it is designed to address serious matters such as unlawful conduct, threats to health and safety, financial misconduct or breaches of legal obligations.

1. Introduction

1.1. This policy sets out how Trustees, employees, volunteers, contractors, and others working on behalf of Somerford ARC Community Centre can raise genuine concerns about suspected wrongdoing.

1.2. It outlines:

- The types of issues that can be reported.
- How to raise concerns.
- The process of investigation.
- Legal protections available to whistleblowers.
- How concerns may be escalated externally.

1.3. Somerford ARC Community Centre encourages concerns to be raised at an early stage, even if the individual is unsure whether a wrongdoing has occurred. Evidence is not required, only a reasonable belief that malpractice may be taking place.

2. Legislation

2.1. This policy is informed by and should be read in conjunction with:

- The Employment Rights Act 1996 (as amended by the Public Interest Disclosure Act 1998)
- The Public Interest Disclosure (prescribed persons) Order 2014
- UK General Data Protection Regulation (UK GDPR)
- Data Protection Act 2018
- Charity Commission Guidance on Whistleblowing and Raising Serious Concerns within Charities
- Charity Commission Serious Incident Reporting Guidance
- Charities Act 2011

3. What Can Be Reported

3.1. This policy should be used to report concerns that you reasonably believe involve one or more of the following:

- A criminal offence.

- Fraud, corruption, or financial irregularity.
- A failure to comply with legal or regulatory requirements.
- A miscarriage of justice.
- A risk to the health and safety of an individual.
- Safeguarding concerns involving children or vulnerable adults.
- Damage to the environment.
- Abuse of position, authority, or trust.
- Deliberate concealment of any of the above.
- Serious misconduct or behaviour likely to cause significant harm to the reputation, beneficiaries, assets, or governance of the Charity.

3.2. This policy is intended for concerns raised in the public interest and should not normally be used for personal employment grievances or complaints unless they also involve wider wrongdoing.

4. Protection for whistleblowers

4.1. Under the Public Interest Disclosure Act 1998 (PIDA), workers are legally protected from dismissal, detriment, victimisation, or unfair treatment if they make a “protected disclosure” regarding wrongdoing in the workplace.

4.2. To qualify for protection, the disclosure must:

- Relate to one of the categories listed in Section 3.
- Be made in the public interest.
- Be made with a reasonable belief that the information tends to show wrongdoing.
- Be made to an appropriate person or body.

4.3. Disclosures made to legal advisors or prescribed regulatory bodies such as the Charity Commission, Health and Safety Executive, local safeguarding authorities, or Environment Agency may also be protected under the Act.

4.4. **Evidence is not required** to make a protected disclosure. Protection applies where the individual reasonably believes the information shows wrongdoing and that the disclosure is made in the public interest, even if the concern is later proven unfounded.

4.5. No action will be taken against anyone who raises a concern with a reasonable belief that the information disclosed is true and that the disclosure is in the public interest.

4.6. Somerford ARC Community Centre will not tolerate harassment, victimisation, retaliation, or unfair treatment of any person who raises a concern in good faith.

4.7. Any person found to have subjected a whistleblower to retaliation or victimisation may be subject to disciplinary action.

4.8. If a disclosure is found to be malicious or knowingly false, appropriate disciplinary action may be taken.

5. Roles and Responsibilities

5.1. Trustees

The Trustee Board will:

- Oversee the implementation and effectiveness of this policy.
- Ensure concerns are investigated appropriately and fairly.

- Ensure concerns raised against Trustees, employees, volunteers, or contractors are managed appropriately.
- Appoint an independent investigator where required.
- Consider whether a Serious Incident Report should be submitted to the Charity Commission.

5.2. Office Manager:

The Office Manager will:

- Act as the main contact point for concerns
- Maintain confidentiality and fairness throughout the investigation process
- Keep appropriate records of concerns raised
- Escalate concerns to the Trustee Board where appropriate

5.3. Employees, Volunteers and Contractors:

All employees, volunteers, and contractors are expected to:

- Read and understand this policy
- Report any concerns as early as possible
- Cooperate with any investigation

6. How to Raise a Concern

6.1. Concerns must be submitted using the Incident Report Form (Appendix 1), which is available:

- Online at <https://www.somerfordarc.com/policies-procedures>
- Or by requesting a copy via email: info@somerfordarc.com

6.2. The completed form should be submitted to the most appropriate person:

- **Office Manager**, for concerns involving employees, volunteers or general organisational conduct.
- **Chair of Trustees**, where the concern involves the Office Manager or members of the Trustee Board.
- **Independent Investigating Officer or full Trustee Board**, where the concern involves the Chair of Trustees or where there is a potential conflict of interest.

6.3. Upon receipt of the Incident Report Form:

- The individual raising the concern will normally receive acknowledgement of receipt within five working days.
- The Office Manager will acknowledge and review the concern, escalating to the Trustee Board where necessary.
- If submitted to the Chair or Independent Investigator, they will appoint an impartial investigator where appropriate.

- 6.4. If you are uncomfortable using the standard reporting route, you may contact the Chair of Trustees directly, who will determine the most appropriate channel of investigation.
- 6.5. While named disclosures are encouraged, anonymous concerns may be considered at the Trustee Board's discretion, taking into account:
 - The seriousness of the issue
 - The credibility of the concern
 - The likelihood of verifying the allegation through other sources

Anonymous concerns may be more difficult to investigate and feedback may not be possible.

- 6.6. All concerns must be raised truthfully and in good faith.

7. Confidentiality

- 7.1. All disclosures will be treated sensitively and confidentially wherever possible.
- 7.2. Identifying information will only be disclosed where necessary for investigation, safeguarding, legal or regulatory purposes, and the individual will normally be informed in advance where appropriate.
- 7.3. Absolute confidentiality cannot be guaranteed where disclosure is required by law, safeguarding obligations, regulatory requirements, or court proceedings.

8. Investigation Process

- 8.1. An impartial investigating Officer will lead the inquiry, supported by internal or external parties as required.

The investigation process may include:

- Reviewing and recording full details of the disclosure.
 - Carrying out an initial risk assessment.
 - Informing the subject of the concern where appropriate and advising them of their right to representation.
 - Referring the matter to the police, safeguarding authorities, or regulators where criminal activity or safeguarding concerns are suspected.
 - Ensuring internal investigations do not interfere with external investigations.
 - Gathering evidence and interviewing relevant individuals.
 - Preparing a written report with findings and recommendations.
 - Submitting the report to the Trustee Board for consideration and action.
 - Keeping the whistleblower informed of progress and outcomes where appropriate and lawful to do so.
- 8.2. Where necessary, the Trustee Board may appoint an independent external investigator.
 - 8.3. The Trustee Board will consider whether the matter meets the Charity Commission's Serious Incident Reporting criteria.
 - 8.4. Appropriate action will be taken where concerns are upheld, which may include disciplinary action, policy changes, referral to external authorities, or reporting to the Charity Commission.

9. Escalating Concerns

- 9.1. If the whistleblower believes their concern is not being handled properly, they may escalate the matter confidentially to the Trustee Board.
- 9.2. If internal procedures are exhausted, or where it is inappropriate to report internally, concerns may be raised with an appropriate external regulator or authority.


This may include:

- The Charity Commission.
 - The Health and Safety Executive.
 - The Environment Agency.
 - Local Safeguarding Authorities.
 - The Police.
 - An independent legal advisor.
 - A trade union representative.
- 9.3. Individuals are encouraged to seek advice before making external disclosures to ensure any disclosure remains protected under whistleblowing legislation.



10. Record Keeping and Data Protection

- 10.1. Records relating to whistleblowing concerns will be kept securely and confidentially in accordance with the UK GDPR and Data Protection Act 2018.
- 10.2. Access to records will be restricted to authorised individuals only.
- 10.3. Records relating to whistleblowing concerns will be retained only for as long as necessary to fulfil legal, regulatory, safeguarding, governance, and operational requirements, after which they will be securely destroyed.

Associated Policies
Grievance Policy
Disciplinary Policy
Complaints Policy and Procedure
Bullying and Harassment Policy
Safeguarding Adults and Risk Policy
Safeguarding Children and Young People Policy
Health and Safety Policy
Trustee Code of Conduct
Confidentiality Policy
Volunteer Policy

Created by	
Print Name	Lauren Biggs
Role	Office Manager
Date	21-02-2023

Review History	Reviewed by	Validated by
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14-07-2020	Lauren Biggs	
02-06-2026	Lauren Biggs	

Next review date	02-06-2028
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Appendix 1

Incident Report

Person Raising the Concern

Full Name	
Address	
Postcode	
Mobile number	
landline	
Email	

Preferred Method of Contact:

- Telephone
- Email
- Letter

Confidentiality

- I wish my identity to remain confidential wherever possible
- I understand that complete confidentiality cannot always be guaranteed where disclosure is required for safeguarding, legal, regulatory, or investigative purposes

Details of the Concern

Date of incident	
Time of incident	

Location of Incident/ Concern

Nature of Concern (tick all that apply)

- Criminal offence
 - Fraud, theft, corruption, or financial irregularity
 - Breach of legal or regulatory requirements
 - Health and safety concern
 - Safeguarding concern
 - Abuse of position, authority, or trust
 - Environmental concern
 - Serious misconduct
 - Governance concern
 - Other (please specify)
-

Please describe the details of the incident below. Include:

- What happened
- Where it occurred
- Who was involved
- When it occurred
- Why you are concerned
- Any actions already taken

Details:

**Please continue on a separate sheet if necessary. Any additional pages should be signed and dated.*

Individuals Involved

Please provide details of any individuals involved (if known):

Witnesses

Were there any witnesses?

- Yes
 No

If yes, please provide names and contact details (if known):

Supporting Evidence

Please provide details of any documents, emails, photographs, messages, CCTV footage, or other evidence relevant to this concern.

**Please continue on a separate sheet if necessary. Any additional pages should be signed and dated.*

Have copies of supporting evidence been provided?

- Yes
 No

Immediate Risk Assessment

Does this concern present an immediate risk to:

- A child or vulnerable adult
 Health and safety
 Charity funds or assets
 the reputation or operation of the charity
 Other

If yes, please provide details:

Previous Reporting

Has this concern previously been reported?

- Yes
 No

If yes, please provide details, including who it was reported to and any action taken:

Declaration

I confirm that the information provided in this form is accurate to the best of my knowledge and belief and that I am raising this concern honestly and in good faith.

Signature:

Print name:

Date:

Data protection: The information provided in this form will be used solely for the purpose of investigating and managing the concern raised. Information will be handled in accordance with the UK GDPR and Data Protection Act 2018 and may be shared where necessary for

safeguarding, legal, regulatory, insurance, or investigative purposes. Records will be retained in accordance with the organisation's data retention requirements.

Office use only

Date received	
Time received	
Received by	
Role	

Acknowledgement sent:

- Yes
 No

Date acknowledged:

Investigating officer assigned:

Date investigation opened:

Was an investigation required?

- Yes
 No

Actions Taken / Investigation Summary

Outcome / Recommendations

Was the Concern Reported to an External Authority?

- Yes
 No

If yes, provide details:

Date outcome communicated:

Investigation Closed by:

Signed	
Date Closed	

