**The Sensory Place**

**Confidential Reporting Code (Whistleblowing Policy)**

**Introduction**

Employees and volunteers are often the first to realise that there may be something seriously wrong within the charity however, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the charity. They may also fear harassment or victimisation. In these circumstances it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice.

The Sensory Place is committed to the highest possible standards of openness, probity and accountability. In line with that commitment we expect employees, volunteers and others that we deal with, who have serious concerns about any aspect of the charity’s work to come forward and voice those concerns. Wherever possible, employees and volunteers are encouraged to use relevant procedures to report issues in an open and transparent way, in line with the organisational culture we are trying to foster. It is recognised, however, that some cases will have to proceed on a confidential basis.

This document makes it clear that you can do so without fear of victimisation, subsequent discrimination or disadvantage. The Confidential Reporting Code is intended to encourage and enable employees and volunteers to raise serious concerns within the Academy rather than overlooking a problem or ‘blowing the whistle’ outside.

The Code applies to all employees, volunteers, trustees, agency staff and sessional workers.

These procedures are in addition to the charity’s complaints procedures. If asked, employees and volunteers should make users aware of the existence of these procedures.

**Aims and scope of the code**

This Code aims to:

* encourage you to feel confident in raising serious concerns and to question and act upon concerns about practice.
* provide avenues for you to raise those concerns and receive feedback on any action taken.
* ensure that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied.
* reassure you that you will be protected from possible reprisals or victimisation if you have a reasonable belief that you have made any disclosure in good faith.

There are existing procedures in place to enable you to lodge a grievance relating to your own employment or volunteering position. The Confidential Reporting Code is intended to cover major concerns that fall outside the scope of other procedures.

These include:

* conduct which is an offence or a breach of law
* disclosures related to miscarriages of justice
* health and safety risks, including risks to the public as well as other employees/volunteers
* damage to the environment
* the unauthorised use of public funds
* possible fraud and corruption
* sexual or physical abuse of service users or staff
* other unethical conduct

Thus, any serious concerns that you have about any aspects of service provision or the conduct of staff, volunteers or trustees of the charity or others acting on behalf of the charity can be reported under the Confidential Reporting Code. This may be about something that:

* makes you feel uncomfortable in terms of known standards, your experience or the standards you believe the charity subscribes to;
* is against the charity’s Constitution and policies;
* falls below established standards of practice;
* amounts to improper conduct.

**Safeguards**

The Sensory Place is committed to good practice and high standards and wants to be supportive of employees.

The charity recognises that the decision to report a concern can be a difficult one to make. If you believe what you are saying is true and the statement is made in good faith, you should have nothing to fear because you will be doing your duty to your employer and those for whom you are providing a service.

The charity will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect you when you raise a concern in good faith. This action will depend on the type of concern and specific service arrangements. On very rare occasions, you may be asked whether you would be prepared to obtain further information.

This would be entirely at your discretion and a full risk assessment would be completed, prior to such a course of action being agreed.

Any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary or redundancy procedures that already affect you.

**Confidentiality**

All concerns will be treated in confidence and every effort will be made not to reveal your identity if you so wish. Any breach of confidentiality will be regarded as a serious matter and will be dealt with accordingly. At the appropriate time, however, you may need to come forward as a witness.

Anonymous allegations

This Code encourages you to put your name to your allegation whenever possible.

Concerns expressed anonymously are much less powerful but will be considered at the discretion of the charity.

In exercising this discretion, the facts to be considered would include:

* the seriousness of the issues raised;
* the credibility of the concern; and
* the likelihood of confirming the allegation from attributable sources.

Untrue allegations

If you make an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against you. If, however, you make an allegation frivolously, maliciously or for personal gain, disciplinary action will be taken against you.

**How to raise a concern**

As a first step, you should normally raise concerns with your line manager or a trustee. This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. For example, if you believe that a trustee is involved, you should approach the Chair of Trustees or externally to The Charity Commission.

Concerns may be raised verbally or in writing. Staff/volunteers who wish to make a written report are invited to include the following information:

* the background and history of the concern (giving relevant dates);
* the reason why you are particularly concerned about the situation. The earlier you express the concern the easier it is to act. Although you are not expected to prove beyond doubt the truth of an allegation, you will need to demonstrate to the person contacted that there are reasonable grounds for your concern. Advice/guidance on how to pursue matters of concern may be obtained from:

Chair of Trustees: Craig Henderson

Trustees: Helen Abernethy, Ann Young, Louise Monaghan, Amy Henderson

You may wish to consider discussing your concern with a colleague first and you may find it easier to raise the matter if there are two (or more) of you who have had the same experience or concerns.

You may invite your trade union, professional association representative or a friend to be present during any meetings or interviews relating to the concerns you have raised.

**How the charity will respond**

The charity will respond to your concerns within ten working days.

Where appropriate, the matters raised may:

* be investigated by trustees or through the disciplinary process;

or

* be referred to the police;

To protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. The overriding principle, which the charity will have in mind, are your well-being and the public interest. Concerns or allegations that fall within the scope of specific procedures (for example, child protection or discrimination issues) will normally be referred for consideration under those procedures. Some concerns may be resolved by agreed action without the need for investigation.

Within ten working days of a concern being raised, the person with whom you have raised your concerns will contact you to:

* acknowledge that the concern has been received;
* indicate how we propose to deal with the matter;
* give an estimate of how long it will take to provide a final response;
* tell you whether any initial enquiries have been made;
* tell you whether further investigations will take place and if not, why not.

The amount of contact between the trustees considering the issues and you will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, the charity will seek further information from you.

**The Responsible Body**

The trustees have overall responsibility for the maintenance and operation of the Code. The Chair of trustees will maintain a record of concerns raised and the outcomes but in a form which does not endanger your confidentiality.

**How the matter can be taken further**

This Code is intended to provide you with an avenue within the charity to raise concerns. The charity hope you will be satisfied with any action taken. If you are not, and if you feel it is right to take the matter outside the charity, the following are possible contact points:

Information and advice can be obtained for the charity Public Concern at Work.  This charity offers free legal advice in certain circumstances to people concerned about serious malpractice at work.  Their literature states that matters are handled in strict confidence and without obligation.  Contact details for the charity are as follows:

Public Concern at Work

Suite 306

16 Baldwins Gardens

London

EC1N 7RJ

Telephone number 0207 404 6609

[www.pcaw.co.uk](http://www.pcaw.co.uk/)

or

* your local Citizens’ Advice Bureau
* relevant professional bodies or regulatory organisations
* a relevant voluntary organisation
* the police

If you do take the matter outside the charity, you should ensure that you do not disclose confidential information. Check with the contact point about that.

**Equality and Diversity**

We are committed to including equalities in everything we do. This includes the elimination of unlawful discrimination promoting diversity as a positive force and valuing & celebrating out diverse workforce and community.

**Confidential Reporting Code**

The Confidential Reporting Code aims to encourage and enable employees and volunteers to raise serious concerns within the charity rather than ignore a problem or malpractice or ‘blowing the whistle’ outside.

This Code covers concerns outside of the following areas and does not replace the following procedures.

1. The charity’s complaints procedure

Complaints about the standard of service, actions or lack of actions by the charity. Handling of the complaint is, in the first instance, the responsibility of the Chair of Trustees.

2. Arrestable offences

Where an arrestable offence has occurred, the Chair of Trustees will inform the police.

3. Grievance procedure

4. Safeguarding and Child Protection

5. Bullying and harassment