



## **Whistleblowing**

### **Introduction**

Rays of Sunshine is a registered charity. Its activities are also registered. Rays of Sunshine strives to be an equal opportunities employer and a caring organisation. This policy is based on the principles that we have an honest workforce and that we deliver good quality services. At the same time, it is very important that the organisation has robust procedures or staff to report concerns, and that anything they say will be properly investigated.

Rays of Sunshine recognises that occasionally the exacting standards that it sets itself may not be met. It has accordingly, a policy on public interest disclosure. The law protects staff who report (or “whistleblow about) wrongdoing they come across at work.

Rays of Sunshine strongly supports the idea of whistleblowing and wants staff to raise any concerns they may have about the organisation or about seeming misconduct of others. Concerns may range from apparent fraud or corruption to the mistreatment of clients and customers, or poor practice or contravention of any policies.

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

Rays of Sunshine is committed to the highest possible standards of openness, probity and accountability. In line with that commitment we expect employees and others that we deal with who have serious concerns about any aspect of Rays of Sunshine work to come forward and voice those concerns.

It is recognised that most cases will have to proceed on a confidential basis.

### **Procedure**

If an employee believes that a member of staff’s conduct and behaviour regarding their professional practice will result in:

- A criminal offence being committed or is likely to be committed
- A person failing or likely to fail to comply with any legal obligation to which he/she is subject
- A miscarriage of justice occurring or likely to occur
- Poor practice
- Contravention of policies
- The health & safety of any individual(s) being, or likely to be, endangered

- The information concerning any of the issues above has been, or is being or is likely to be concealed

They must bring it to the attention of the C.E.O. If it is believed the source of the problem is the C.E.O, the matter must be brought to the attentions of the Chairman of the Board of Trustees.

In order to protect individuals and those accused of misdeeds or possible mis-practice, initial enquiries will be made to decide whether an investigation is appropriate and if so what form it will take.

Within ten working days of a concern being raised the person responsible (Senior Manager/Chief Executive) will write to you:

- Acknowledging that the concern has been received.
- Indicating how we propose to deal with the matter.
- Giving an estimate of how long it will take to provide a final response.
- Telling you whether any initial enquiries have been made.
- Telling you whether further investigations will take place and if not why not.

This policy aims to:

- Encourage you to feel confident in raising serious concerns.

### **Inaction and its consequences**

If the disclosure is met with inaction, or with a response that is regarded as wholly inadequate, the disclosure and the response must, if the response is from the C.E.O, be disclosed to the Chairman of the Trustees. If the response that comes from the Chairman of the Trustees is inadequate, the problem may be disclosed to a relevant third party.

### **Good Faith**

If a disclosure is made to the media or anyone else for reward, personal gain or malice, the law does not regard this as making a disclosure in good faith. Any disclosure must not be for the purposes of personal gain. It must also be reasonably believed that the information and the subject matter of the disclosure are true.

### **Confidentiality Policy**

In so far as an employee is making a disclosure of a matter relating to one or more of the issues referred to above, he/she is not bound by the confidentiality requirements in the employment contract.

If any disclosure is made to any third party without making it internally, the employee will not be protected by the provision of the Public Interest Disclosure Act 1998. The employee risks the disclosure being treated as a breach of confidentiality amounting to gross misconduct.

**This policy is subject to change by Rays of Sunshine, in line with changes in statutory law, case law and best practice. They do not form part of an employee's Contract of Employment.**