

# WHISTLEBLOWING POLICY

Document Owner:	Director of HR, Learning & Development
Document Author:	Director of HR, Learning & Development
Last Reviewed:	December 2024
Due for review on:	December 2026



## 1. Introduction

VSA recognises the importance of encouraging a climate of openness in which all employees and other workers can freely express their concerns without fear or reprisal. If a member of staff raises a concern they can be assured that the matter will be dealt with positively, quickly and reasonably.

This policy applies to all employees and volunteers of VSA. Other individuals performing functions in relation to VSA, such as agency workers and contractors, are also encouraged to use it.

It is important to VSA that should staff have legitimate concerns about specific matters (see page 2), that such matters should be reported **as soon as possible** to the most relevant person and properly dealt with.

The aim of this policy and procedure is to encourage employees, students or volunteers to come forward if they have concerns about any aspect of the work of VSA. It is recognised that there are times when people may wish to report matters but are reluctant to do so because of the implications of their actions. In such circumstances VSA will support anyone who wishes to report such matters on a confidential basis.

There will be no adverse consequences for any members of staff who raise concerns in accordance with this policy unless the concern has been raised with malicious intent. The Public Interest Disclosure Act 1998 makes it unlawful to dismiss, discipline or victimize a worker who blows the whistle on criminal behavior or other malpractice.

All concerns raised will be treated in a confidential manner. The identity of the staff member raising the concern will be kept confidential so long as it does not hinder any investigation. At all times, managers and employees involved in any aspect of the whistleblowing process must comply with the agencies confidentiality policy.

It must however be acknowledged that there may be some situations in which, because of the level of seriousness of the alleged incident, retaining confidentiality may not be possible e.g. in some disciplinary situations or if matters require to be reported to the police and result in court action.

VSA will support staff or volunteers who come forward with genuine concerns under this policy. Allegations which are found to be malicious, however, will be treated as a disciplinary offence and will be dealt with in accordance with VSA's disciplinary procedure.

VSA will ensure that those who are the subject of concerns raised under this policy will be informed of their nature, so that they are treated fairly and given the opportunity to respond to them.

## 2. What Is Whistleblowing?

Whistleblowing is when a worker reports suspected wrongdoing at work. This is called making a disclosure in the Public Interest.

Anyone who wishes to report such incidents should, in most circumstances, talk first to their line manager, supervisor or a senior colleague. If more than one staff member has the same concern it is advisable that they raise the concern separately and do not discuss the concerns with each other to avoid any conflict during investigation. Staff should report concerns immediately rather than waiting for proof or investigating matters themselves.

However, there are instances when this is not appropriate: for example, if it is believed that line managers or supervisors are themselves involved in such matters or condone such matters in the respective workplace.

In such situations, or where an employee is unhappy with the outcome of any investigation conducted by their own line manager, they should contact their Director of Service or respective Senior Manager or alternatively the Director of HR & Learning & Development and ask to speak to them in confidence. All concerns raised in this way will be treated seriously and will be investigated thoroughly.

### **3. What Will Happen When Concerns Are Raised?**

Anyone who raises concerns under this policy will receive a written response from the manager to whom they report their concerns, indicating how the matter will be dealt with and giving an estimate of how long it may take to resolve. Some situations may be resolved promptly; others may require more detailed investigation. The person who raises the concerns will be informed of the outcome, subject to legal constraints and confidentiality.

### **4. What Protection Will There Be?**

Raising a concern will nearly always lead to feelings of vulnerability. Anyone who raises concerns and the person who is the subject of the concern will be treated fairly and with respect. The manager dealing with the investigation will be sensitive to potential tensions within the workplace and will offer support to staff involved in any investigation process.

Staff must not suffer any detrimental treatment as a result of raising a concern under this policy. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If you believe that you have suffered any such treatment, you should inform your manager immediately. If the matter is not remedied you should raise it formally using VSA's grievance procedure.

If anyone employed by VSA tries to prevent a member of staff, student, volunteer or service user from making a confidential report under this policy, or that person is threatened, victimised or retaliated against in any way as a consequence of raising a concern, this will be treated as gross misconduct and a serious disciplinary offence under VSA's disciplinary procedure. [In some cases the whistleblower could have a right to sue the person who has subjected them to such treatment personally for compensation in an employment tribunal.]

### **5. What Might The Concern Be?**

The following are examples of concerns that may potentially be raised under this policy:

- abuse or neglect of service users;
- failure to deliver proper standards of service;
- theft or other criminal offences;
- breaches of the Scottish Social Services Council Codes of Conduct for Workers and for Employers;
- Breaches of the VSA codes of conduct by employees, volunteers or contractors.
- failure to comply with health and safety procedures;
- fraud;
- Corruption e.g. obtaining money or favours by promising preferential treatment.

VSA has well established child protection procedures as well as procedures for dealing with the abuse of vulnerable adults or fraud and if your concern relates to any of these issues you should follow the appropriate procedure. This is particularly important in relation to cases of child or adult abuse where concerns should be reported without delay.

You may wish, however, to bring forward other concerns which do not seem to fit into these categories. The most appropriate action for you to take will be discussed with you when you raise your concern.

### **6. How Sure Do I Have To Be?**

VSA wants to encourage openness within the organisation and therefore invites staff, students and volunteers to come forward with their concerns. If you raise genuine concerns under this policy, then you will be supported by VSA, even if it turns out that you were mistaken.

You will not be expected to prove the truth of an allegation but it will be necessary to demonstrate to the person you speak to that there are sufficient grounds for concern.

If it is necessary to arrange a meeting between you and the person you contact, you may choose to be accompanied by a colleague or trade union representative.

## **7. Can I Remain Anonymous?**

It may not be appropriate for you to raise concerns anonymously. Anonymous reporting means that concerns cannot be properly investigated and explored, and there is always the possibility that such reporting may be malicious. However, if someone is concerned about being identified they should contact one of the persons overleaf to ensure their confidentiality is protected as far as possible.

## **8. Will My Concern Remain Confidential?**

Although you will require to identify yourself when raising your concern, VSA will deal with you and your concern on a confidential basis.

An initial investigation of the concern may find that other statutory or organisational procedures need to be invoked and it may not then be possible to conceal information. In some situations, for example with child or adult abuse allegations, it may be necessary to involve the police and you may be required to make a formal statement to them.

## **9. Who Can I Contact Within VSA?**

In most circumstances, your concerns should be raised with your immediate line manager or supervisor. However, if this is not appropriate you should contact your Director of Service, if this is also inappropriate or you feel your concerns are not being addressed then please contact the person below.

If for any reason they are not available to take your call you can leave a message on their voicemail. Messages from voicemail can only be listened to by the staff member concerned. There may be a delay however in your message being retrieved if they are away from the office for a day or so. If the matter is urgent you should try to contact another of the persons listed. If you leave a message, please ensure that you give your name and contact details.

- **HRD – 01224 XXXXXX**

Concerns can also be raised in writing or via e-mail – [whistleblowing@vsa.org.uk](mailto:whistleblowing@vsa.org.uk)

If you wish to raise a concern regarding the practice of a member of the Management Team, contact the Chief Executive or the Chairman of the Board of Trustees, as appropriate. The latter should be contacted via the Chief Executive.

## **10. Adult & Child Protection**

If your concern is related to an Adult or Child Protection matter then please also refer to the relevant policies:-

Adult Protection Policy  
Child Protection Policy

Please be advised though that whistleblowing policy is available to raise concerns of this nature and in following up such concerns the matters may be referred to the relevant policy and procedure.

## **11. Can I Raise My Concern Externally?**

The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases you should not find it necessary to alert anyone externally.

Alternatively, if you would prefer to discuss this independently, you can raise this via our independent and confidential service providers, SeeHearSpeak up by contacting them via one of the following routes :-

Hotline 0800 988 6818

Website [www.seehearspeakup.co.uk/en/file-a-report](http://www.seehearspeakup.co.uk/en/file-a-report)

Email [report@seehearspeakup.co.uk](mailto:report@seehearspeakup.co.uk)

This service is available 24/7, 365 days a year.

The law recognises that in some circumstances it may be appropriate for you to report your concerns to an external body such as a regulator. We strongly encourage you to seek advice from one of the contacts set out above before reporting a concern to anyone external.

Public Concern at Work is an external, independent and confidential resource for employees. Their contact details are:

**Website:** [www.protect-advice.org.uk](http://www.protect-advice.org.uk)

**Advice line:** 020 7404 6609 and 020 3117 2550

**Email:** [whistle@protect-advice.org.uk](mailto:whistle@protect-advice.org.uk)