

Door in the Wall Arts Access CIC Whistleblowing Policy

Introduction

Door in the Wall Arts Access CIC is committed to being open, honest and accountable. It encourages a free and open culture in its dealings between the board, those working with the CIC as employees, contractors and volunteers, and people who use our services.

This policy aims to help the board and employees/contractors/volunteers to raise any serious concerns they may have about colleagues or their employer with confidence and without having to worry about being victimised, retaliated against, discriminated against or disadvantaged in any way as a result.

Legal Framework

This policy is crafted within the framework of the Public Interest Disclosure Act 1998, which offers protection to employees making disclosures about malpractices within their organisation.

Scope of Concerns

This policy addresses concerns that may include but are not limited to:

- Criminal offences
- Failure to comply with legal obligations
- Risks to health and safety of individuals
- Environmental damage
- Miscarriages of justice
- Inadequate protection of children or vulnerable adults
- The concealment of any of these issues

Individuals raising concerns are not required to prove the truth of an allegation but must believe the information disclosed is substantially true.

Untrue Allegations

If an individual knowingly makes a false allegation with malicious intent, disciplinary action may be taken, which could constitute gross misconduct.

Exclusions

This policy does not cover grievances concerning employment terms and conditions or interpersonal grievances. These should be addressed through our Grievance Procedure.

Reporting Procedure

Concerns should ideally be raised first with the immediate line manager. If this is not suitable or effective, concerns should be directed to the designated Whistleblowing Officer, Veronique Johnston [using this online form](#). If the issue involves the Whistleblowing Officer, it should be escalated to the Trustees.

Where possible, concerns should be raised in writing, detailing all relevant information such as names, dates, and places to provide clear grounds for the initial investigation.

Individuals may seek the advice of a trade union representative or a colleague during the process.

Protection for Whistleblowers

We are committed to protecting those who raise concerns in good faith from any harassment, victimisation, or bullying. No individual will suffer detriment, such as dismissal or disciplinary action, as a result of raising a genuine concern. If confidentiality is requested, it will be respected as far as applicable law allows.

Handling and Feedback

Reports will be investigated promptly and thoroughly. Feedback will be provided to the whistleblower where appropriate, respecting the confidentiality and anonymity of all involved.

If the investigation does not confirm the reported concerns, no action will be taken against the whistleblower, and their confidentiality will continue to be protected.

External Advice and Further Information

If you are unsure at any point, we encourage you to seek independent advice from external bodies such as your union, Protect (Whistleblowing Advice), or ACAS.

Protect:

Phone: 020 3117 2520

Advice line is open on Mondays, Tuesdays, Thursdays: 9:30am – 1pm, 2pm – 5:30pm;

Wednesdays and Fridays: 9:30am – 1pm. A contact form is available in between those times.

<https://protect-advice.org.uk/>

ACAS:

Phone: 0300 123 1100

Advice line is open Monday-Friday, 8am-6pm

<https://www.acas.org.uk/>

Important Information

Whistleblowing is fundamentally about exposing malpractice for the greater good and is not motivated by personal grievances. Our policy aims to facilitate the early detection and rectification of any wrongdoing within the organisation, thereby reinforcing a culture of ethical behaviour and compliance.

This policy ensures that all parties are aware of their responsibilities and the procedures in place, supporting our commitment to a fair and just organisational practice.

Types of concerns

The policy is intended to deal with serious or sensitive concerns about wrongdoings such as the

following:

- a criminal offence
- a failure to comply with any legal obligation
- a failure in the protection of children or vulnerable adults
- a miscarriage of justice
- a health and safety risk to an individual
- damage to the environment
- or concealment of the above.

It is not necessary for individuals who raise the concern to prove the wrongdoing that is alleged to have occurred or is likely to occur. However if an individual knowingly or maliciously makes an untrue allegation (eg: in order to cause disruption with DITWAA or make trouble for a colleague), we will take appropriate disciplinary action against them. It may constitute gross misconduct. Individuals should note that they will not be protected from the consequences of making a disclosure if, by doing so, they commit a criminal offence.

This policy does not deal with any complaints staff may have about their employment. This should be dealt with through our [Grievance Procedure](#).

DITWAA's Bullying and Harassment policy offers protection to workers against harassment, bullying and discrimination.

Updated 11/4/24

Volunteers and service users should make complaints or raise concerns through a [report to the Whistleblowing Officer](#) (Veronique Johnston).

Whistleblowing Procedure

How to raise a concern in the workplace

The officer designated to handle whistleblowing concerns is Veronique Johnston and shall be known as the Whistleblowing Officer.

Staff members should in most cases, first report their concern to their line manager, who is expected to respond to that matter. If the relevant manager cannot deal with the matter, he or she will refer the concern to the Whistleblowing Officer.

Dependent on the seriousness and sensitivity of the matter, and who is suspected of the wrongdoing, the individual can, if necessary [report directly to the Whistleblowing Officer](#). If the matter concerns the Whistleblowing Officer, it should be raised with the Board.

Individuals are encouraged to raise their concerns in writing where possible, setting out the background and history of their concerns (giving names, dates and places where possible) and indicating the reasons for their concerns.

Employees may wish to seek the assistance of their trade union representative before raising the concern. The trade union representative may, where the employee so desires, raise the concern on behalf of the employee. Employees may also invite a trade union representative or colleague to be present during any meetings or interviews about the concerns they have raised.

If any individual is unsure whether to use this procedure or they want independent advice at any stage, they should contact:

their trade union (if applicable), or

Protect:

Phone: 020 3117 2520

Advice line is open on Mondays, Tuesdays, Thursdays: 9:30am – 1pm, 2pm – 5:30pm;

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Disclosures made to a legal advisor in the course of obtaining legal advice will be protected under the Public Interest Disclosure Act.

If the individual reasonably believes that the matter relates wholly or mainly to the conduct of a person or body other than DITWAA or any other matter for which a person or body other than DITWAA has legal responsibility, the disclosure should be made to that other person or body.

Protecting the individual raising the concern

If an individual raises a concern which they believe to be true, The charity will take appropriate action to protect the individual from any harassment, victimisation or bullying. Employees who raise a genuine concern under this policy will not be at risk of losing their job, nor will it influence any unrelated disciplinary action or redundancy procedures.

The matter will be treated confidentially if the individual requests it and their name or position will not be revealed without their permission unless DITWAA has to do so by law. If in other circumstances the concern cannot be resolved without revealing the individual's identity, the Whistleblowing Officer will discuss with the individual whether and how to proceed.

Concerns raised anonymously tend to be far less effective but the Whistleblowing Officer will decide whether or not to consider the matter taking into account:

- the seriousness of the matter;
- whether the concern is believable;
- whether an investigation can be carried out based on the information provided.

How DITWAA will deal with the concern

How the concern will be dealt with, will depend on what it involves. It is likely that further enquiries and/or investigation will be necessary. The concern may be investigated by the charity's Whistleblowing Officer, the Board, through the disciplinary process or it may be

referred to the police, other agencies such as Social Services, an external auditor or an independent investigator.

It may be necessary for the individual to give evidence in criminal or disciplinary proceedings.

DITWAA will give the individual feedback on the progress and outcome of any investigation wherever possible.

If the suspicions are not confirmed by an investigation, the matter will be closed. Staff will not be treated or regarded any differently for raising the concern, and their confidentiality will continue to be protected.

Whistleblowing report form: [Contact the Whistleblowing Officer](#)

Anonymously report to the Safeguarding Officer: [Anonymous Reporting Form](#)