

# Sharing Concerns ("Whistleblowing") Policy

## 1.0 What this policy covers

- 1.1 Derbyshire Mind is committed to safeguarding and acting in the interest of the public and its employees, volunteers and trustees. It is important to Derbyshire Mind that any fraud, misconduct or wrongdoing, by employees or other agents, is reported and properly addressed.
- 1.2 This policy applies to all staff, volunteers, trustees and all other agents of Derbyshire Mind, who are encouraged to raise concerns in a responsible manner. Derbyshire Mind prefers that a concern is raised and dealt with properly, rather than kept quiet.

## 2. Your responsibilities

- 2.1 You are encouraged to bring to the attention of Derbyshire Mind any practice or action of Derbyshire Mind, its staff, volunteers, trustees or other agents that you reasonably believe is against the public interest, in that the practice or action is:
- a criminal offence
  - a failure to comply with any legal obligation
  - a miscarriage of justice
  - a danger to the health and safety of any individual
  - that the environment is being, or is likely to be, damaged
  - an attempt to conceal information on any of the above
- 2.2 The raising of a concern will be covered by this policy provided you have a reasonable belief that it is in the public interest to do so. Any individual raising legitimate concerns under this policy will not be subject to any detriment, either during or after employment. Derbyshire Mind will also try to ensure that the individual is protected from any intimidation or harassment by any other parties.
- 2.3 It does not matter if an individual who raises a concern is mistaken about it— staff, volunteers or trustees do not have to prove anything about the allegation they are making but they must reasonably believe that the disclosure is made in the public interest and that the information they have tends to show some malpractice
- 2.4 Staff, volunteers and trustees must in no way victimise or otherwise subject to any detriment another employee, volunteer or trustee on the grounds that they have made a disclosure under this policy. Any employee who does so may be subject to disciplinary action up to and including dismissal for gross misconduct. Any volunteer or trustee who does so may be removed from their voluntary role.

## 3.0 Public Disclosure Procedure

3.1 Staff and volunteers: In the first instance, you should raise any concerns you have with your manager. If you believe your manager to be involved, or if, for any reason, you do not wish to approach your manager, then you should raise it with the Chief Executive or (in the case of people reporting to the Chief Executive), a trustee. The Chief Executive should initially raise any concerns with a trustee.

- 3.2 Trustees: In the first instance, you should raise any concerns with the Chief Executive. If you believe the Chief Executive to be involved then you should raise it with the Chair of Trustees or another trustee.
- 3.3 Any matter raised under this policy will be investigated promptly and confidentially. The outcome of the investigation, as well as any necessary remedial action to be taken, will be confirmed to you. If no action is to be taken, the reason for this will be explained to you.
- 3.4 Allegations regarding potential breaches of this policy will be treated in confidence and investigated thoroughly. If you raise any concerns under this policy, Derbyshire Mind is committed to ensuring that you are protected from victimisation, harassment or less favourable treatment. Any such incidents will be dealt with under Derbyshire Mind's Disciplinary Procedures.
- 3.5 Escalating your concern: If you are dissatisfied with this response, you should raise your concerns in writing directly with a more senior person in Derbyshire Mind. If, after escalating your concerns, you believe that the appropriate remedial action has not been taken, you should then report the matter to the proper authority. These authorities include:
- The Charity Commission
  - HM Revenue & Customs
  - Companies House
  - the Health and Safety Executive
  - the Environment Agency
  - the Information Commissioner

This list is not intended to be exhaustive, and you must take care to ensure you contact the proper authority in relation to the particular concerns you have.

- 3.6 If you raise a concern and you are found to be culpable, or in any way involved in the wrongdoing, or if you raise a concern maliciously or in a manner not prescribed in this policy, then you may be subject to disciplinary action up to and including dismissal without notice for gross misconduct (staff) or removal from your role (volunteers and trustees).

You should not disclose to a non-relevant third party any details of any concern raised in accordance with this policy, and you must not, in any circumstances, publicise your concerns in any way.

This policy does not form part of any contract of employment and Derbyshire Mind may amend it at any time.