

	Whistle-blowing Policy
Date: January 2023	Date of Review: January 2025

A. Introduction

Eating Distress North East (EDNE) is determined to ensure that its employees provide the best possible levels of service and act properly in accordance with EDNE’s policies and procedures.

This policy is designed to give employees the chance to draw attention to concerns about wrong or unacceptable practice. It is not about telling tales on colleagues but aims to ensure that work is carried out honestly and to the highest possible standards.

EDNE recognises the potential vulnerability of employees who express concerns under this procedure and will not tolerate any attempt to harass or victimise, disadvantage or discriminate against such a person.

This policy applies to all employees and contractors working for EDNE.

All concerns will be recorded and investigated promptly, and reports will be prepared following investigation and appropriate action will be taken to resolve concerns.

As an organisation EDNE does not just wish to simply comply with law but to be actively committed in continuing to strive for excellence in our governance, ethical conduct and to also appropriately manage risk, thus exercising our Management accountability.

B. Confidentiality

All concerns will be treated in confidence wherever possible and every effort will be made to preserve the employee’s anonymity if they so wish.

Employees are however encouraged to put their name to the raised concern whenever possible. Concerns expressed anonymously are much less powerful but they will be considered so far as is possible or practicable by EDNE.

An employee may need however to come forward as a witness, and if they wish to be supported by a representative of their choice then this would be available to them.

D. Explanation of Policy

1. The sorts of issues covered by the policy include:

- Any unlawful act
- Breaches of EDNE policy, codes of practice and unacceptable standards of behaviour
- Misuse of assets or other financial irregularities
- Actions which could harm people
- Sexual, emotional or physical abuse of service users
- Significant damage to property
- Abuses of position, power or authority
- Unfair discrimination
- Other unethical conduct
- A criminal offence
- Health and Safety, care and/or support of service users, environmental issues

2. This policy does not replace but is meant to add to existing procedures (e.g. for dealing with grievances). **It should only be used where employees reporting concerns feel that other procedures cannot be used.**

3. In many cases it is EDNE's employees who are best placed to know of any concerns about wrong or unacceptable practice or conduct within EDNE and to identify matters which fall short of what EDNE expects. EDNE therefore expects employees to report their concerns and will treat failure to do so as a serious matter. The earlier you express the concern the easier it is to take action.

4. Although they are not expected to prove beyond doubt the truth of a concern, they will need to demonstrate to the person contacted that there are reasonable grounds for your concern.

5. When any concern that is made in good faith but is not confirmed by the investigation, EDNE will not take any action against the person reporting the concern, however, where a concern is found to be malicious or has been made in

bad faith, this will be regarded as a serious matter and could lead to disciplinary action.

D. Procedures

1. The CEO will normally be the first point of contact. They will be responsible for initiating investigations into concerns promptly. If employees feel that the CEO may be involved in the matter about which they are concerned, the Chair of the Trustees should be the person informed of the concern.
2. Concerns may be raised verbally or in writing. A written report should be sent to the CEO or the Chair of the Trustees.
3. Employees may wish to consider discussing the concern with colleagues first, if there are two (or more) who have had the same experience or concerns. The earlier the concern is expressed the easier it will be to take action.
4. The person receiving the concern will:
 - Record it
 - Ensure confidentiality, so far as may be possible in dealing properly with it
 - Take immediate appropriate action to safeguard the health and safety of any individuals as necessary, and must then respond to the disclosure by arranging a meeting with the person making the disclosure as soon as is reasonably practicable, but in any event no later than 7 calendar days after the disclosure is first made. Even if the first meeting is of an exploratory nature it should normally take place within that period.
 - Investigate promptly and respond to the employee concerned, under section D below. The person receiving the concern will also have a right of access to the Chair and to appropriate EDNE records and documents.
 - Report to the appropriate trustee, usually the Chair, where the investigation identifies a serious cause for concern. Where a concern involves theft, fraud or financial irregularities or bribery or corruption which involves EDNE's finances, the trustees should be notified before proceeding with any further investigation.
 - Recommend appropriate action to resolve the concern.
5. Where the employee's concern relates to the conduct of the EDNE CEO, then the employee concerned should report to the Chair who will liaise with the Trustees in applying these procedures.

6. Where the employee's concern relates to the conduct of a trustee or the Chair, the employee should report to the EDNE CEO.
7. It is desirable for those raising concerns to give the person charged with investigating them all relevant facts and the reasons for concern.
8. Although employees are not expected to prove the truth of any allegation, they will need to demonstrate sufficient and genuine grounds for concern.

E. EDNE'S RESPONSE

1. Initial enquiries will be made to decide whether an investigation is appropriate and if so the form it will take.
2. Concerns that come within the scope of existing procedures (e.g. child protection issues, health and safety) will normally be considered under those procedures.
3. It may be possible that, with agreement, action can be taken immediately to resolve a concern and this would mean that there would be no need for an investigation.
4. Within 10 working days of a concern being received EDNE will, in writing –
 - Acknowledge receipt of the concern
 - Indicate how it proposes to deal with it
 - Give an estimate of how long it will take to provide a final response
 - State whether any enquiries have been made
 - State whether any further investigations will take place, and if not, why not
5. If necessary, further information will be sought from the person raising the concern.
6. When a meeting is arranged between the person responsible for dealing with the concern under this procedure and the employee raising it, then the employee has the right to be accompanied by a trade union representative or a colleague who is not involved in the area of work to which the concern relates or where the person making the disclosure is not an employee, a friend.
7. EDNE recognises that the person raising the concern needs to be assured that the matter has been properly addressed. EDNE will confirm in writing to those raising the concerns that the proper procedures outlined in this policy have been applied and followed. Information about the outcome of investigations will be given unless this is not possible for legal reasons.

F. HOW THE MATTER CAN BE TAKEN FURTHER

1. This policy is intended to provide a means of raising concerns internally within EDNE, and EDNE hopes that those raising concerns will be satisfied with any action taken. However if there is not a satisfactory outcome for those raising concerns and they wish to take the matter outside of EDNE, then a trade union, citizen's advice bureau or a legal advisor can provide advice.
2. If the matter is taken outside of EDNE the person reporting the concern should ensure that they do not disclose information where they owe a duty of confidentiality to other persons, e.g. service users, or where they would commit an offence by making disclosure.
3. If the person is not satisfied that the disclosure is being adequately dealt with, either within a reasonable time period, or within one which was agreed, then they should inform the Chair of the Board of Trustees in writing that they intend to make a disclosure to an external body. Employees may only do so, under the provisions of the Public Interest Disclosure Act, to one of the following:
 - Legal Adviser; or a
 - Minister of the Crown; or
 - Any person prescribed by legislation such as a statutory regulator or other appropriate regulatory body
 - a disclosure to any other third party, provided the employee makes such a disclosure in good faith, reasonably believing the allegation to be true and not in order to make any personal gain.
4. It should be noted that the Charity Commission is included as an appropriate regulatory body for matters relating to the proper administration of charities and funds given, or held, for charitable purposes.

If additional support and advice is required, please see list of external agencies below:

Audit Commission

for England and Wales:

www.auditcommission.gov.uk

public-enquiries@audit-commission.gov.uk

Tel: 0844 798 3131 / Textphone: 020 7630 0421

Citizens Advice Bureau (Newcastle City): Tel: 0191 232 0832

Public Concern at Work:

www.pcaw.org.uk

Information Commissioner:

www.ico.gov.uk Tel: 030 312 31113 /

Textphone: 01625 545860

Environmental Health:

www.newcastle.gov.uk Tel: 0191 232 8520