

## **WHISTLEBLOWING POLICY**

### **1.0 INTRODUCTION**

1.1 Peat Rigg is committed to the provision of the highest quality services to its clients and staff and to full accountability for those services. Whilst Peat Rigg has in place rules, regulations, quality standards and procedures to ensure that the highest standards of conduct and commitment to service delivery are followed, irregularities, wrong-doing or serious failures in standards do sometimes occur. Peat Rigg wants to identify and remove such malpractice in the performance and delivery of its services.

1.2 The greatest deterrent to malpractice or wrongdoing is the probability that it will be reported and investigated vigorously, that those who are responsible for it will be punished and that the matter will be promptly remedied. This Policy is therefore intended as a clear statement that any malpractice by employees or third parties (including contractors) reported to Peat Rigg will be swiftly and thoroughly investigated. Peat Rigg will also look at ways to ensure that such malpractice or wrongdoing can be prevented for the future.

### **2.0 AIMS AND SCOPE OF THE POLICY**

2.1 This Policy provides all employees, freelancers, contractors including the staff of Peat Rigg with avenues to raise concerns and receive feedback on any actions taken reassurances that they will be protected from reprisals or victimisation for whistleblowing in good faith

2.2 Set out below is a list which is intended to illustrate the sorts of issues which may be considered as malpractice or wrongdoing and can be legitimately raised under this Whistleblowing Policy:

- a) any unlawful act, whether criminal or a breach of civil law, failure to comply with legal obligations or where a miscarriage of justice has occurred, is occurring or is likely to occur
- b) maladministration, as defined by the Local Government Ombudsman
- c) breach of any statutory Code of Practice
- d) breach of, or failure to implement or comply with any policy or procedure rules determined by Peat Rigg or Directors of Peat Rigg
- e) failure to comply with appropriate professional standards
- f) corruption or fraud including obtaining money (eg clients money) without entitlement
- g) misuse of assets, including stores, equipment, vehicles, buildings, computer hardware and software

- h) endangering the health and safety of any individual with actions which are likely to cause physical danger, or to give rise to a risk of significant damage to property
- i) failure to take reasonable steps to report and rectify any situation which is likely to give rise to a significant avoidable cost, or loss of income, to Peat Rigg or would otherwise seriously prejudice Peat Rigg;
- j) abuse of power, or the use of Peat Rigg's authority for any unauthorised or ulterior purpose
- k) unfair discrimination in Peat Rigg's employment or services
- l) causing damage to the environment
  
- m) deliberately concealing information in relation to any of the items on this list

2.3 This Whistleblowing Policy is intended to supplement, rather than to replace, the existing grievance procedures as laid down in the Staff Handbook whereby employees of Peat Rigg may already raise complaints or matters of genuine concern. It is therefore designed to provide a channel for those instances where the person reporting the matter feels that, for any reason, they cannot make use of those existing complaints procedures.

### **3.0 EMPLOYEE CO-OPERATION AND SAFEGUARDS**

3.1 In many cases it is an employee of Peat Rigg who is most likely to be in the best position to learn of any malpractice or wrongdoing within Peat Rigg and to identify something which falls below the standards which Peat Rigg and its clients are entitled to expect. Peat Rigg expects the fullest cooperation of all its employees in securing the highest standards of service to the clients of Peat Rigg. This means that, where an employee of Peat Rigg becomes aware of or suspects malpractice, Peat Rigg will expect them to report these suspicions. Where an employee fails to report their suspicions, they become themselves implicated in the wrongdoing, and Peat Rigg will treat failure by an employee to report such matters as a serious matter which may, in the case of an employee, amount to a disciplinary matter, depending on the circumstances, that may amount to a breach of the Staff Code of Conduct.

3.2 This Policy statement has been discussed with the Directors and has their support.

3.3 Peat Rigg will respect (so far as it can legally) the confidentiality of any whistleblowing complaint received, where the complainant requests that confidentiality but cannot guarantee that the investigation process will not result in colleagues speculating on the identity of the whistle-blower. It must be appreciated that it will be easier to follow up and to verify complaints if the complainant is prepared to give his/her name, and unsupported anonymous complaints and allegations are much less powerful and therefore will have to be treated with caution. There will be circumstances where information must be disclosed for legal reasons, or to enable legal steps to be taken, e.g. there may be an obligation to disclose under the Freedom of Information provisions, or if the circumstances amount to a serious crime there may be circumstances where information will have to be passed to external agencies such as the police or external auditors.

3.4 Any reporting system will be of little effect if those who should use it are afraid that, as the result of making their report, they may experience recriminations, victimisation or harassment. Peat Rigg will therefore not tolerate any attempt on the part of any employee or member to take reprisals against any person who has reported a serious and genuine concern. Peat Rigg will treat any such recriminations, victimisation or harassment by any employee of Peat Rigg as a serious matter which may, in the case of an employee, amount to a disciplinary matter, depending on the circumstances, that may amount to a breach of the Staff Code of Conduct. Individuals may also have statutory protection under the Public Interest Disclosure Act 1998, which aims to protect individuals who make certain disclosures of information in the public interest and who are then victimised in their employment. If a whistle-blower who has made a valid complaint feels that they have been victimised as a result of raising concerns they can raise the matter directly with one of the Director's, who will raise the matter immediately with the other Director's.

3.5 Peat Rigg is proud of its reputation for having the highest standards of probity. It will therefore ensure that the necessary resources are put into investigating any complaints which it receives. As a consequence of this it will view very seriously any false or malicious allegations which it receives and will regard the making of any deliberately malicious or vexatious allegations by any employee of Peat Rigg as a serious disciplinary offence.

3.6 The Whistleblowing Policy will be publicised to all staff, as a minimum requirement, once per annum by including a message in Monday morning meetings informing them of the Policy. Other media used to communicate with staff (eg e-mail) will also be used where appropriate.

3.7 Particular emphasis will be placed on raising the policy proactively with those contractors who are considered strategically important to providing services to Peat Rigg

#### **4.0 HOW TO RAISE A CONCERN**

4.1 It is better if concerns are raised in writing. This allows the opportunity to set out the background and history of the concern, giving names, dates and places where possible, and the reason why the employee is particularly concerned about the situation.

4.2 It is envisaged that Ian Thorpe will be the first point of contact in the vast majority of cases. It will be their responsibility to initially investigate all matters reported to them promptly and in accordance with the procedure notes issued.

4.3 Employees can write to The Board of Director's at the following address:

The Board of Director's  
Peat Rigg Outdoor Training Centre  
Cropton  
Pickering  
North Yorkshire  
YO18 8EX

4.4 It is, however, appreciated that there may be times when an employee of Peat Rigg feels unable to use the above procedure, for example when the

Whistleblower feels that their Line Manager may be involved in the malpractice. Peat Rigg has therefore appointed the Director, Derek Noble to act as its Whistleblowing Officer, with the following remit:

- a) to receive and record any complaints under this Policy
- b) to ensure the confidentiality of any whistleblowing complainant who requests that their complaint be treated in confidence subject to paragraph 3.3 above.
- c) to investigate promptly any whistleblowing complaint and to respond directly to the complainant, with a right of access to the Directors and employees of Peat Rigg and to all documents and records of Peat Rigg
- d) to report to the appropriate Director where the investigation identifies a serious cause for concern within the responsibilities of that Director and to recommend the use of any relevant statutory powers or duties. Where the complaint relates to the conduct of a member or one of the Director's he/she should report to the other Director.
- e) to report as appropriate, either jointly to the Director's.
- f) to settle appropriate action to resolve a complaint or recompense a complainant, and
- g) to report every six months to the Director's –on the number of concerns raised under this Whistleblowing Policy. Those matters raised which identify fraud or loss to Peat Rigg will be reported to the Director's on an annual basis.

4.5 Although whistle-blowers are not expected to prove the truth of an allegation, they will need to demonstrate to the person they choose to contact that there are sufficient grounds for concern.

## **5.0 HOW PEAT RIGG WILL RESPOND**

5.1 In order to protect both individuals and Peat Rigg, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Concerns or allegations which fall within the scope of specific procedures (for example child protection or discrimination issues) will normally be referred for separate consideration under those procedures.

5.2 Some concerns may be resolved by agreed action without the need for detailed investigation.

5.3 Within 10 working days of a concern being received, the line manager or officer who is designated to carry out the whistleblowing investigation will write to the whistleblower:

- acknowledging the concern has been received
- indicating how it proposes to deal with the matter
- giving an estimate of how long it will take to provide a final response
- stating whether any initial enquiries have been made
- state whether further investigations will take place, and if not, why not.

5.4 The amount of contact between the Director's considering the issues and the whistle-blower, will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, further information will be sought from the whistle-blower.

5.5 When any meeting is arranged, the whistle-blower has the right, if they so wish, to be accompanied by a Union or professional association representative or a friend who is not involved in the area of work to which the concern relates.

5.6 Peat Rigg will take steps to minimise any difficulties which the whistle-blower may experience as a result of raising a concern. For instance, if they are required to give evidence in criminal or disciplinary proceedings.

5.7 Peat Rigg accepts the whistle-blower needs to be assured that the matter has been properly addressed. Thus, subject to legal constraints, information about the outcomes of any investigations will be provided.

## **6.0 HOW MATTERS CAN BE TAKEN FURTHER**

6.1 This policy is intended to provide Peat Rigg staff with an appropriate avenue to raise concerns within Peat Rigg. If staff have reported a concern in accordance with Peat Rigg's Whistleblowing Policy but are not satisfied that the issues have been properly addressed then they may also pursue the matter in an alternative way as follows:

- Contacting the Board of Director's
- Writing to a Director individually

## **7.0 REVIEW OF THE POLICY**

7.1 The Policy will be subject to review as and when required