



Royal Association for Deaf people

Whistleblowing

Whistleblowing policy

Click [here](#) for BSL

Version number	Date	Author	Purpose
001	December 2022	Joint CEO	Annual review 2022
002	January 2024	COO	Biennial review

Executive summary

Click [here](#) for BSL

Whistleblowing is the disclosure of information by a person who believes that there is suspected wrongdoing. The wrongdoing disclosed must be in the public interest (this means it must affect others).

The aims of this policy are to:

- Encourage colleagues to report suspected wrongdoing, easily and without the fear of reprisal
- Provide assurance that concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected
- Provide step by step guidance to colleagues

If a colleague is unclear about what can be raised under this policy, they should speak to the Whistleblowing Officer.

RAD's CEO acts as RAD's Whistleblowing Officer. Contact ceo@royaldeaf.org.uk.

RAD ensures through induction, supervision, training and team meetings that colleagues understand the law related to whistleblowing and are familiar with the procedures set out in this policy.

Full policy

Click [here](#) for BSL

Purpose and Scope

The aims of this policy are to:

- Encourage colleagues to report suspected wrongdoing, easily and without reprisals
- Provide assurance that concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected
- Provide step by step guidance to colleagues

It is important to note that:

- This policy does not form part of an employee's contract of employment
- RAD's CEO acts as RAD's Whistleblowing Officer

Whistleblowing and Legislation

Click [here](#) for BSL

Whistleblowing is the disclosure of information by a person who believes that there is suspected wrongdoing or dangers at work. You are considered a whistleblower if you are a worker, and you report certain types of wrongdoing (usually something that has been witnessed at work – though not always)

Whistleblowers are protected by the law and cannot be subjected to a detriment or be dismissed from the workplace due to whistleblowing.

If a whistleblower is selected for redundancy or dismissal, this is automatically considered 'unfair' if it is fully or partly due to a qualifying disclosure of information.

Personal grievances are not covered by whistleblowing laws. Personal grievances might include things such as bullying, harassment, and discrimination. RAD hold other policies in place to address these issues.

The main whistleblowing legislation is the Public Interest Disclosure Act 1998 and the Employment Rights Act 1996.

When making a disclosure, colleagues must reasonably believe two things:

1. They are acting in the public interest
2. The wrongdoing covers one or more of the following categories:
 - Criminal activity (including financial fraud)
 - Miscarriages of justice
 - Danger to health and safety
 - Risk of, or actual environmental damage
 - Failure to comply with any legal or professional obligation or regulatory requirements
 - Bribery (also see Bribery Policy)
 - Serious breach of internal policies and procedures including RAD's Code of Conduct
 - Conduct likely to damage RAD's reputation
 - Unauthorised disclosure of confidential information
 - Breach of safeguarding regulations
 - The belief that somebody is covering up wrongdoing (e.g. a deliberate attempt to conceal any of the above)

If a colleague is unclear about what can be raised under this policy, they should speak to the Whistleblowing Officer.

Raising and Reporting a Whistleblowing Concern

Click [here](#) for BSL

- All whistleblowing concerns should be reported immediately to the Whistleblowing Officer, as follows:
 - Email CEO@royaldeaf.org.uk marked 'urgent' with details
 - Email CEO@royaldeaf.org.uk asking for a video call ref whistleblowing
- Colleagues may wish to discuss a potential whistleblowing concern with their line/team manager in the first instance, perhaps to seek clarification prior to formally raising this with the Whistleblowing Officer.
- Where a colleague wants their identity to remain confidential, they must make this clear when raising the concern. RAD will take all reasonable steps to maintain confidentiality unless required by law to do otherwise.
- Where a concern is raised anonymously, it will limit the scope of the investigation and feedback. It will also make it more difficult for the colleague to qualify for protection as a whistleblower.

- Once the concern is raised, the Whistleblowing Officer will invite the colleague to a meeting to discuss their concern. (Minutes of the meeting will be taken.)
- Whistleblowing concerns should not be discussed with anyone other than the line/team manager or the Whistleblowing Officer in order to maintain confidentiality. Any investigation must be fully cooperated with.
- The whistleblower will be kept informed of progress of any investigations, provided that by doing so it does not breach any other obligations that RAD has, such a confidentiality, including an idea of the timeframe for handling the disclosure - it is expected that the full process of investigation and feedback to the whistleblower will be completed within one month of the disclosure being made
- RAD will keep a record of all whistleblowing disclosures including feedback provided to the whistleblowers – the whistleblower does not need to provide any evidence for the Whistleblowing Officer to look into the concerns raised
- If the allegation is made against the CEO, the Chair of the trustee board should be contacted (chair@royaldeaf.org.uk). The Chair will investigate the disclosure and will advise on the procedure that will be followed.
- If the whistleblowing allegation is made against a trustee, other than the Chair, the Chair should be contacted.
- If the whistleblowing allegation is made against the Chair, the Whistleblowing Officer can be contacted in the first instance. Similarly, any allegations against the full board of trustees should be submitted to the Whistleblowing Officer.
- If the allegation is being made against both the CEO and the Chair, the COO should be contacted and will liaise with the Charity Commission.
- CEO allegations against the full board should be directed at the Charity Commission.

RAD is committed to dealing with all disclosures appropriately, consistently, fairly and professionally. If, at the end of an investigation the whistleblower is unhappy with the outcome, concerns should be raised with the Chair of Board of Trustees, if the CEO has been dealing with the matter.

If, after following this process the whistleblower is still unhappy, further advice is available from ACAS www.acas.org.uk/conciliation.

Protection for Whistleblowers

Click [here](#) for BSL

Workers are protected by law under whistleblowing legislation. (See www.gov.uk/employment-status/worker) for definition of worker.

- RAD aims to encourage openness and honesty and will support colleagues who raise genuine concerns under this policy, even if they turn out to be mistaken/unfounded.
- Colleagues who have raised a concern must not suffer any detrimental treatment, this includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern.
- RAD will provide any mentoring or advice as support to a whistleblower during the process, if requested.
- Colleagues must not threaten or retaliate against whistleblowers in any way. If found to be involved in such conduct, colleagues may be subject to disciplinary action. In some cases, the whistleblower could have a right to make personal claims for compensation in an employment tribunal.
- If RAD concludes that false allegations have been made maliciously or with a view to personal gain; or that there has been a breach of RAD's confidentiality obligations or the confidentiality obligations in the contract of employment, colleagues may be subject to disciplinary action

A confidentiality clause in a settlement agreement is not valid for whistleblowers.

Training

Click [here](#) for BSL

Through induction, probation, supervision, training and team meetings, RAD ensures that colleagues have an understanding of the law related to whistleblowing and are familiar with the procedures set out in this policy.

Associated policies

Click [here](#) for BSL

- Safeguarding Adults and Children – and associated procedures
- Boundaries and Code of Conduct
- Confidentiality
- Data Protection
- Dignity at Work
- Grievance
- Supervision