



WHISTLE BLOWING POLICY

Introduction

'Whistle Blowing' is the process of giving information, to the authorities about misconduct, or illegal or underhand practices. The law concerning whistle blowing is incorporated in the Public Interest Disclosure Act 1998, which offers a framework of protection against victimisation or dismissal for employees who 'blow the whistle' on such behaviour.

The Policy

A disclosure will qualify for protection if, in the reasonable belief of the individual, it relates to one or more of the following actions:

- A criminal offence;
- A failure to comply with a legal obligation;
- A miscarriage of justice;
- The endangering of an individual's health and safety;
- Damage to the environment;
- Deliberate concealment of information relating to any of the above.

The whistle-blower must satisfy certain conditions:

- Disclosure to the employer will be protected, if it is made in good faith and the whistle-blower has a reasonable suspicion that the alleged malpractice has occurred, is occurring or is likely to occur;
- Disclosure to a regulator will be protected where, in addition, the whistle-blower honestly and reasonably believes that the information and any allegation in it are substantially true;
- Disclosure to other bodies is protected if, in addition to the tests for regulatory disclosures, it is reasonable in all the circumstances and is not made for personal gain.

The whistle-blower must also meet one or other of the following further conditions:

- They reasonably believed that they would be victimised if they raised the matter internally;
- They reasonably believed that the disclosure related to a criminal offence and was thus a qualifying disclosure;
- There was no prescribed regulator, and they reasonably believed the evidence was likely to be concealed or destroyed;



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- The concern had already been raised with the employer or a prescribed regulator;
- The concern is of an exceptionally serious nature.

What to do if you come across malpractice in the workplace:

- Be aware that SNAPS finds the kinds of activities targeted by the legislation completely unacceptable, and we attach particular importance to identifying and remedying malpractice, such as fraud, theft and similar illegal activities;
- Employees, Contractors, Volunteers or Trustees should inform the Chief Executive and Chair of Trustees immediately if they become aware that any of the specified actions are happening or are likely to happen;
- Whistle-blowers can ask for their concerns to be treated in confidence and such wishes will be respected;
- Employees, Contractors, Volunteers or Trustees will not be penalised for informing the Chief Executive or Chair of Trustees about any of the specified actions.

If the Chief Executive or Chair of Trustees is notified of a concern, they

- Have a responsibility to ensure that concerns raised are taken seriously;
- Where appropriate, should investigate properly and make an objective assessment of the concern;
- Should keep the Employee, Contractor or Volunteer advised of progress;
- Have a responsibility to ensure that the action necessary to resolve the concern is taken.

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