



Blue Cross Operational Policy	Version: March 2020
	Approved: Executive Team
	Review Date March 2021
Author: Head of People & Culture	

WHISTLEBLOWING POLICY

Procedure for Raising Issues of Concern or Conscience

Through good recruitment practice and other procedures, Blue Cross actively seeks to recruit people who will not compromise our integrity or reputation in relation to our charitable status, our employees or our financial affairs.

No organisation can afford to be complacent, however, and we expect and encourage all individuals working for us at all levels and grades, whether they are senior managers, directors, employees, contractors, or agency employees (collectively referred to as employees in this policy) and volunteers to share the responsibility for raising concerns about the behaviour of other employees or volunteers which may cause or result in harm to the animals, other employees or volunteers, the public or our reputation.

This policy sets out the way in which such concerns should be raised. All employees and all volunteers should regard this policy as the appropriate route for raising concerns where the interests of others or of Blue Cross itself are at risk. Employees who wish to complain about their personal position or a matter specifically relating to their employment with Blue Cross should use the Blue Cross's grievance procedure to raise such concerns or grievances.

Employees who follow the policy in good faith may also have additional protection from a right, under the Public Interest Disclosure Act 1998, not to be unfairly dismissed or subjected to a detriment for raising such concerns. It does not matter if an employee is subsequently found to have been mistaken, as long as he or she makes the disclosure in good faith and reasonably believes that there is a problem.

Whilst volunteers are not covered by the Public Interest Disclosure Act 1998, volunteers at Blue Cross should use this policy if they wish to raise concerns of the type envisaged by this policy.

Scope of this policy

The following are examples of issues that individuals should raise under the procedure. This list is not exhaustive or exclusive and is provided by way of example only:

Animal Welfare

Concerns about the behaviour of employees regarding animal welfare issues (however senior) or volunteers, in whatever capacity they work for Blue Cross. This may include inappropriate handling of animals or inappropriate practices in relation to animal welfare.

Financial impropriety

Concerns about behaviour of employees or volunteers as above in relation to financial issues.



Fundraising Practice

Concerns about the behaviour of employees (however senior), volunteers or suppliers of services to Blue Cross in whatever capacity they work for Blue Cross regarding methods used to solicit financial support from members of the public, companies or other grant making bodies. This may include intentionally misrepresenting any aspect of Blue Cross or knowingly exploiting a vulnerability with the intention of securing support that, on the balance of probability would otherwise not have been given.

Other specific illegal acts Concerns not covered by above (e.g. in relation to the Charities Act). Whilst the above may be particular to Blue Cross, the Public Interest Disclosure Act 1998 specifies six categories under which a 'protected disclosure' may be made by an employee, following which the right not to be unfairly dismissed or subjected to some other detriment will arise:

- When a criminal offence has been committed is being committed or is likely to be committed;
- When a person has failed, is failing or is likely to fail to comply with any legal obligations to which he or she is subject;
- Potential, likely or actual miscarriages of justice;
- Potential, likely or actual endangerment of health and safety of individuals;
- Potential, likely or actual environmental damage;
- Potential, likely or actual concealment or destruction of evidence of any of above.

What constitutes cause for concern?

This is often difficult to pinpoint. It may be something that makes you feel uncomfortable, is in breach of Blue Cross's existing policies or procedures, is contrary to established standards of practice or amounts to improper conduct. However, individuals may simply feel uneasy about the behaviour of another person without initially being able to say why. In such situations, you should keep notes of any incidents that illustrate your concern, with dates, times and details of what happened.

It can be helpful to think through what is causing you to feel uneasy, with the help of a senior person with whom you feel comfortable, such as your line manager or a member of the People & Culture team. It is important that such feelings should not become a matter of gossip among colleagues. You should note that the person to whom you speak will not be able to guarantee that disclosure can be kept between the two of you, and may be obliged to take up the formal procedure outlined below should you not do so this will be something they will discuss with you if they feel this is necessary.

Formal procedure

If, following any discussion, you believe there is cause for concern the following actions should be taken:

1. You should first of all raise the issue with the senior person responsible for your team. This may be your immediate line manager or your director.



If your concern is about the behaviour of your manager or director and you are therefore unable to raise the issue with them, you should raise it in the first instance with a member of the People & Culture team, Head of People & Culture or the Director of People & Development.

Any employee or volunteer also has the right to raise a concern directly with any trustee, and a full list of trustees can be found on our website at <https://www.bluecross.org.uk/our-trustees>.

Trustees who can be contacted with any concerns are;

Tim Porter, Chair of the Board of Trustees	tim-porter1@hotmail.co.uk	07711 448805
Jeremy Stewart, Safeguarding Trustee	JStewart@goddardvetgroup.co.uk	
Clive Everest, Chair of Audit Committee	clive.everest@btinternet.com	0771 326 5454

2. Whilst it is hoped that this policy gives you the reassurance you need to raise concerns internally, Blue Cross recognises that there may be circumstances where you can properly report matters to outside bodies which are prescribed by the Government. Examples of these external bodies include the Charity Commission, the Environment Agency, RCVS and the Health and Safety Executive. There are other external bodies and we recommend that you take appropriate advice before considering approaching an external body without raising the matter internally first.
3. Employees making disclosures may have fears about their position in the organisation. The Public Interest Disclosure Act 1998 gives employees the right not to be unfairly dismissed or to be subjected to some other detriment for making such a disclosure, provided the disclosure is:
 - made in good faith and without malice;
 - made in the reasonable belief that the information disclosed and any allegations contained in it are substantially true;
 - not made for personal gain;
 - made to a person prescribed by the Government (for example the Charity Commission, the Environment Agency or the Health and Safety Executive) in the reasonable belief that the person making the disclosure will be subjected to a detriment by Blue Cross for making the disclosure to Blue Cross or the person prescribed by the Government;
 - made in circumstances where there is no appropriate person prescribed by the Government and the person making the disclosure reasonably believes that it is likely that the evidence relating to the relevant failure will be concealed, or destroyed if he or she makes a disclosure to Blue Cross;
 - the individual making the disclosure has made a similar previous disclosure to Blue Cross or person prescribed by the Government;
 - in all the circumstances, made reasonably.

Employees and volunteers should regard these conditions as general principles when raising issues of concern.



What will happen next?

The responsible person to whom the disclosure is made will undertake an investigation, or will arrange for an investigation to be undertaken, referring to our usual processes that may be followed as part of the Blue Cross's Disciplinary or Grievance Procedures or other procedures described in the Employee Handbook.

In the case of employees, this may result in a disciplinary investigation and/or hearing and disciplinary action as appropriate, and the person making the disclosure may be asked to be a witness in any such hearing, and to provide detailed evidence of her/his concerns. Where appropriate, the police may become involved.

In the case of a volunteer being the subject of concern, appropriate action will be undertaken under our volunteer procedures to investigate the issues raised and implement corrective action where necessary. This may result in a hearing and the person making the disclosure may be asked to be a witness in any such hearing, and to provide detailed evidence of her/his concerns. Where appropriate, the police may become involved.

Blue Cross will make every effort to ensure that the person making the initial disclosure is not subjected to any detriment as a result of the disclosure, provided that this procedure is complied with. However, where a disclosure is found to be materially in breach of any of the seven situations listed above (e.g. malicious, false, unreasonable etc) then appropriate disciplinary action may be taken against the individual who made that malicious/false/ unreasonable disclosure. Such disciplinary action may result in the dismissal of that individual.

Depending upon the outcome of the investigation and subsequent action, Blue Cross will, wherever possible, make available to the person making the disclosure reasonable help and support that they may need, including access to independent support, in order to achieve an appropriate conclusion of the issue.

What if you are dissatisfied?

If you are dissatisfied that Blue Cross has not responded correctly to a disclosure at any stage, you may always raise the matter with the appropriate external body prescribed by the Government (for example the Charity Commission, the Environment Agency, the Health & Safety Executive or the Fundraising Regulator). You may also raise the matter with any Blue Cross trustee.

While it cannot be guaranteed that all matters will be handled in the way that you might wish, it will always be Blue Cross's intention to handle the matter properly and fairly. By following this policy, employees and volunteers will help to achieve this. If you do take the matter outside Blue Cross, you must ensure that you do not disclose any confidential information, unless it is necessary and directly relevant to your concerns.

This policy:

Applies to:	All Blue Cross employees and volunteers
Person responsible for adherence/implementation:	Head of People & Culture
Implementation date:	March 2020



Supporting documentation applicable to implementation of this policy:	
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