



CLARENCE HALL WHISTLEBLOWING POLICY

Last updated January 2023

POLICY STATEMENT

The Clarence Hall Management Board (Management Board) is the management body for The Clarence Hall, Crickhowell, which is a registered charity (1187701) and a company limited by guarantee (11971202).

The Management Board recognises that employees, volunteers, users and hirers are often the first to realise that there may be something seriously wrong within a group. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the organisation. They may also fear harassment or victimisation. In these circumstances, it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice.

The Management Board is committed to the highest possible standards of openness, probity and accountability. In line with that commitment we expect employees, volunteers, users, hirers and others that we deal with, who have serious concerns about any aspect of the charity's work, to come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis.

This policy document makes it clear that individuals can do so without fear of victimisation, subsequent discrimination or disadvantage. This whistle-blowing policy is intended to encourage and enable individuals to raise serious concerns within the charity rather than overlooking a problem or airing their complaints outside the charity.

This policy is in addition to the Clarence Hall's complaints policy, which is available on the Hall's website at: <https://www.clarencehallcrickhowell.org.uk>. The Management Board is responsible for making employees, volunteers, users and hirers aware of the existence of this policy.

AIMS

This policy is designed to enable employees, volunteers, users and hirers of the Clarence Hall to raise concerns internally and at a high level and to disclose information which the individual believes shows malpractice or impropriety. This policy is intended to cover concerns which are in the public interest and may at least initially be investigated separately, but then might lead to the invocation of other procedures e.g. disciplinary.

These concerns include:

- Financial malpractice, impropriety or fraud.
- Failure to comply with a legal obligation or statutes.
- Dangers to Health & Safety or the environment.

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- Conduct which is a breach of the law.
- Improper behaviour or unethical behaviour.
- Failure to acknowledge cultural diversity and ethnicity.
- Failure to comply with prevailing policies.
- Attempts to conceal any of these.

This policy aims to:

- Encourage individuals to feel confident in raising serious concerns and to question and act upon concerns about practice.
- Provide avenues for individuals to raise those concerns and receive feedback on any action taken.
- Ensure that individuals receive a response to their concerns and that they are aware of how to pursue them if they are not satisfied.
- Reassure individuals that they will be protected from possible reprisals or victimisation if they have a reasonable belief that they have made any disclosure in good faith.

SAFEGUARDS

This policy is designed to offer protection to those employees, volunteers, users and hirers of the Clarence Hall who disclose such concerns provided the disclosure is made:

- In good faith.
- In the reasonable belief of the individual making the disclosure that it tends to show malpractice or impropriety.

The Management Board is committed to good practice and high standards and wants to be supportive of employees, volunteers, users and hirers. It recognises that the decision to report a concern can be a difficult one to make. If what is reported is true, individuals should have nothing to fear because they will be doing a duty to the Clarence Hall.

The Management Board will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect individuals when they raise a concern in good faith.

CONFIDENTIALITY

The Management Board will treat all such disclosures in a confidential and sensitive manner. The identity of the individual making the allegation may be kept confidential so long as it does not hinder or frustrate any investigation. However, the investigation process may reveal the source of the information and the individual making the disclosure may need to provide a statement as part of the evidence required unless such disclosure is required by law.

ANONYMOUS ALLEGATIONS

This policy encourages individuals to put their name to any disclosures they make. Concerns expressed anonymously are much less credible, but they may be considered at the discretion of the Management Board.

In exercising this discretion, the factors to be taken into account will include:

- The seriousness of the issues raised.
- The credibility of the concern.
- The likelihood of confirming the allegation from attributable sources.

UNTRUE ALLEGATIONS

If an individual makes an allegation in good faith, which is not confirmed by subsequent investigation, no action will be taken against that individual.

In making a disclosure the individual should exercise due care to ensure the accuracy of the information. If, however, an individual makes a frivolous, malicious or vexatious allegation, and particularly if he or she persists with making them, action may be taken against that individual.

HOW TO RAISE A CONCERN / TIMESCALES

Concerns should be reported to any member of the Management Board. This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. For example, if the allegation is about a member of the Management Board then concerns should be directed to the Chairperson. Complaints against the Chairperson should be passed to the Secretary. Details of both individuals are available on the noticeboard in the Foyer of the Hall and the Hall's website - <https://www.clarencehallcrickhowell.org.uk>.

Concerns may be raised verbally or in writing. Individuals who wish to make a written report should mention the following:

- The background and history of the concern (giving relevant dates).
- The reason for the concern. Individuals should report the concern at the earliest opportunity so that action can be taken. Although staff or volunteers are not expected to prove beyond doubt the truth of an allegation, they will need to demonstrate to the person contacted that there are reasonable grounds for concern.

INVESTIGATING PROCEDURE

The Chairperson or investigating officer should follow these steps:

- Full details and clarifications of the complaint should be obtained.
- In order to protect individuals and those accused of misdeeds or possible malpractice,

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initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take.

- Within 10 days, an acknowledgement will be made to the complainant that the complaint has been received and an indication given as to how it is proposed to deal with the matter and inform them whether further investigations will take place and if not, why not.
- Inform the individual against whom the complaint is made as soon as is practically possible.
- If there is evidence or suspicion of criminal activity, then the investigating officer should inform the police or relevant authorities (eg gambling regulator, trading standards etc). The Management Board will ensure that any internal investigation does not hinder a formal police investigation.
- The allegations should be fully investigated by the investigating officer with the assistance where appropriate, of other individuals / bodies.
- A judgement concerning the complaint and validity of the complaint will be made by the investigating officer. This judgement will be detailed in a written report containing the findings of the investigations and reasons for the judgement. The report will be passed to the Management Board.
- The Chairperson or Secretary will decide what action to take. If the complaint is shown to be justified, then they will invoke the appropriate procedures.
- The complainant should be kept informed of the progress of the investigations and, if appropriate, of the final outcome.
- If appropriate, a copy of the outcomes will be passed to the Clarence Hall auditors to enable a review of the procedures.
- If the complainant is not satisfied that their concern is being properly dealt with by the investigating officer, they have the right to raise it in confidence with the Chairperson, or if the complaint is about the Chairperson, another member of the Management Board.
- If the investigation finds the allegations unsubstantiated and all internal procedures have been exhausted, but the complainant is not satisfied with the outcome of the investigation, the Management Board recognises the lawful rights of individuals to make disclosures to prescribed persons (such as the Health and Safety Executive, the Audit Commission, or the utility regulators), or, where justified, elsewhere.

TIMESCALES

Due to the varied nature of these sorts of complaints, which may involve internal investigators and / or the police, it is not possible to lay down precise timescales for such investigations.

The investigating officer should ensure that the investigations are undertaken as quickly as possible without affecting the quality and depth of those investigations.

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The investigating officer, should as soon as practically possible, send a written acknowledgement of the concern to the complainant and thereafter report back to them in writing the outcome of the investigation and on the action that is proposed. If the investigation is a prolonged one, the investigating officer should keep the complainant informed, in writing, as to the progress of the investigation and as to when it is likely to be concluded.

All responses to the complainant should be in writing and sent to their home address or, if appropriate, their email address.

RESPONSIBLE OFFICER

The Chairperson has overall responsibility for the maintenance and operation of this policy. He or she will maintain a record of concerns raised and the outcome in accordance with the prevailing GDPR requirements (but in a form which does not endanger confidentiality) and will report as necessary to the Management Board

If the Chairperson is the subject of a complaint, the Secretary or another appointed member of the Management Board will assume this role and responsibility.

Date of last update and approval by Management Board: January 2023

Date of next review: January 2025

Responsible officer: Dean Christy