

## **THE ART MINISTRY WHISTLE-BLOWING POLICY**

### **Reporting a Suspected Malpractice (Whistle-Blowing) Policy**

#### **Policy**

The Art Ministry believes that it is the duty of every employee and volunteer to speak up about genuine concerns in relation to criminal activity, breach of a legal obligation (including negligence, breach of contract, breach of administrative law), miscarriage of justice, danger to health and safety or the environment, and the cover up of any of these in the workplace. It applies whether or not the information is confidential.

The Art Ministry is committed to ensuring that any concerns of this nature will be taken seriously and investigated.

Employees are given legal protection under the Public Interest Disclosure Act 1998 from detrimental treatment or victimisation from their employers after they have made a qualifying disclosure. Volunteers are not protected by this Act, but this policy will afford them the same protection.

A disclosure to The Art Ministry will be protected if the employee or volunteer has an honest and reasonable suspicion that the malpractice has occurred, is occurring, or is likely to occur. Employees and volunteers who raise concerns reasonably and responsibly will not be penalised in any way.

#### **Who this policy is for?**

This policy is for people employed by or volunteering with The Art Ministry. For the purposes of this policy only, this is someone who is:

- Employed under a contract of employment by The Art Ministry;
- A volunteer with The Art Ministry;
- Contractors and suppliers of services to The Art Ministry

#### **Procedure**

Any individual who has reasonable suspicions of malpractice should initially take their concerns to their supervisor. If they do not feel that this is the appropriate person, they should approach the Chair of the Trustees, or if their concern is related to the Chair, they should contact another Trustee. It is recognised that for some individuals, raising a concern under this procedure may be a daunting and difficult experience. An individual may choose to be accompanied or represented by a friend or colleague at any stage of this procedure. All reported incidents will be investigated. All reports will be dealt with in confidence, with only those who need to know, being informed.

The Chair, other Trustee, or supervisor will establish and record the basis of the concerns that have been raised and establish what further actions are required. The individual raising the concern will be advised of the outcome of the investigation as soon as possible, normally within two weeks of the date of their disclosure. Where a longer period is needed for investigation, the individual will be informed in writing.

The Chair of the Trustees will be informed of all reported disclosures and the actions being taken. In the case of disclosures on alleged fraud and corruption, The Art Ministry's Treasurer and Independent Examiner will be informed by the Chair.

If an individual is not satisfied with the response received and any subsequent action taken, they should put their concerns in writing to the Chair of Trustees or another appropriate Trustee who will arrange any further investigation as they think appropriate. The Chair will send a written response to the individual concerned.

### **Guiding principles**

To ensure that this policy is adhered to, and to assure staff that the concern will be taken seriously, The Art Ministry will:

Not allow the person raising the concern to be victimised for doing so;

Treat victimisation of whistle blowers as a serious matter that may lead to disciplinary action that may include dismissal;

Not attempt to conceal evidence of poor or unacceptable practice;

Take disciplinary action if an employee destroys or conceals evidence of poor or unacceptable practice or misconduct;

Ensure confidentiality clauses in employment contracts and volunteering agreements do not restrict, forbid or penalise whistle blowing;

Liaise with the other organisations to whom individuals report malpractice.

### **Independent advice and further reading**

Further Information about making raising concerns about charitable organisations can be found on the Charity Commission's website on:

<http://www.charitycommission.gov.uk/publications/cc47.aspx>

Individuals who feel unsure about whether or how to raise a concern or want confidential advice can contact the independent charity Protect (<https://protect-advice.org.uk/>) on 020 3117 2520 or by on-line form at <https://protect.tfaforms.net/f/advice-line-form-for-charity-sector> Their lawyers can give free confidential advice on how to raise a concern about serious malpractice at work.

Free information and advice can also be obtained from the Advice, Conciliation and Arbitration Service (ACAS) – Telephone: 08457 47 47 47, website: <https://www.acas.org.uk/>

You may feel that it is more appropriate to report a matter to another organisation. Other organisations concerned with standards in the voluntary sector include:

The Charity Commission - 0845 300 0218

Health & Safety Executive – contact on-line <http://www.hse.gov.uk/contact/index.htm> or in emergency 0845 300 9923