



# WHISTLEBLOWING POLICY & PROCEDURE

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## POLICY CONTROL

Version	Description	Date	Approval
0.1	Whistleblowing Policy	March 2024	
1.0	Board approval	11 June 2024	Board
<b>Next Review:</b>		June 2027	
<b>Whistleblowing Officer</b>		Foodbank Manager – Zoe Nixon	

## LINKED POLICIES

Equality, Diversity and Inclusion Policy  
Complaints Policy & Procedure  
Grievances Policy & Procedure  
Bullying & Harassment Policy  
Safeguarding Policy

# WHISTLEBLOWING POLICY

## 1. INTRODUCTION

- 1.1. Newquay Foodbank is committed to the highest standards of openness and accountability. In line with this commitment, if any volunteers or employees have concerns regarding the organisation's performance, standards, or conduct then they should feel free to raise those concerns.
- 1.2. The term "staff members" is used in Newquay Foodbank's policies to refer to any employees, volunteers, trustees or contractors that are 'working' for the Foodbank. "Foodbank visitors" is the term used to describe the beneficiaries of the Foodbank.

## 2. DEFINITIONS

- 2.1. "**Whistleblowing**", in the legal sense, refers to the Public Interest Disclosure Act (1998), which protects employees from any harm or victimisation that could come from reporting a concern.
- 2.2. "**Whistleblowing**" as a general term is when someone at an organisation reports a concern about improper actions – of their colleagues or the organisation – that may cause harm to people or to the organisation. The whistleblower should believe that there has been, or is likely to be:
  - A criminal offence
  - A failure to comply with a legal obligation.
  - A miscarriage of justice.
  - A health and safety risk to an individual.
  - Damage to the environment.
  - Concealment of the above.
- 2.3. The whistleblower should report "in good faith", meaning that they reasonably believe the allegation is true – even it later turns out to have been incorrect. However, it is not necessary for the whistleblower to prove that the alleged wrongdoing has occurred or is likely to occur.
- 2.4. Whistleblowing is not the same as a complaint or grievance, which involve personal mistreatment, and the whistleblower rarely has a direct personal interest in the outcome of any investigation.

## 3. POLICY STATEMENT

- 3.1. Newquay Foodbank is committed to working ethically and to high standards of quality, integrity, accountability and professionalism. We also recognise that there may be occasions where we do not always get things right or that staff members may have concerns. In these instances, we all have a right and responsibility to speak up.
- 3.2. This whistleblowing policy and procedure applies to all who work with the Foodbank. It outlines when, and how, to raise any genuine and serious concerns that do not align with these values and the protection you are afforded as a whistleblower.

## 4. ALIGNMENT OF VOLUNTEERS AND EMPLOYEES

4.1. Volunteers who want to raise a concern are not given the same protections as employees under the law. We have therefore created this policy to provide volunteers with the same protections as employees, so that:

- Volunteers feel confident about raising concerns
- Volunteers know that there is a process they can follow if they have a concern.
- Volunteers know that they will be protected from any victimisation that could result from raising a complaint.
- Volunteers know how to pursue concerns externally if they are not satisfied with Newquay Foodbank's internal response.
- If anything, that constitutes a whistleblowing concern happens, we will be alerted to it and can take steps to fix it – to act with integrity and within the law

## 5. PROTECTION FROM VICTIMISATION

5.1. Under the Public Interest Disclosure Act (1998), an employee who reports a whistleblowing concern is legally protected from victimisation. Victimisation occurs where someone is treated less favourably because they have made a complaint or assisted someone else in making a complaint of discrimination or harassment.

5.2. Though it is not required by law, Newquay Foodbank extends this commitment to everyone who works with us, including volunteers and other non-staff personnel. Even if your concern turns out to not be true, or if there is not enough evidence, you will not face any repercussions. However, if you make a complaint maliciously and knowing that it is untrue, we may terminate your role or take legal action.

## 6. SUPPORT FOR CHARITY WORKERS

6.1. "Protect" are an organisation that specialise in supporting charity workers and volunteers when raising whistleblowing concerns. They can be contacted through their website at <https://protect-advice.org.uk/charity-sector-whistleblowing/> or have a phone line on **020 3117 2520**.

## 7. WHISTLEBLOWING PROCEDURE

### 7.1. Reporting a concern internally

7.1.1. We encourage staff members to use this procedure if they are concerned about any wrongdoing. In most cases, concerns should first be reported to the Lead or line manager, who will deal with the disclosure in confidence. If the relevant manager cannot address the concern themselves, they will refer the concern to the Whistleblowing Officer.

**7.1.2.** Dependent on the seriousness and sensitivity of the matter, and who may be involved, individuals can also report directly to the Whistleblowing Officer. If the matter concerns the Whistleblowing Officer, it should be raised with the Trustees.

**7.1.3.** It is helpful to raise concerns in writing, where possible – setting out the background and history of concerns and indicating the reasons for them.

**7.1.4.** Newquay Foodbank take very seriously any concerns which are brought under this legislation. If anyone feels that they are suffering a detriment because of making a protected disclosure, please alert the Whistleblowing Officer as soon as possible, so that steps can be taken to assist them.

## **7.2. Investigation**

**7.2.1.** The way Newquay Foodbank addresses any concern will depend upon the nature of the issue – however, an internal investigation is likely to be appropriate, which will usually be conducted by the Whistleblowing Officer and/or the Board of Trustees.

**7.2.2.** Concerns may be referred to the police, social and other services, an external auditor, or an independent investigator, and whistleblowers may need to give evidence in criminal or other proceedings.

## **7.3. Outcome**

**7.3.1.** If the suspicions are not confirmed by an investigation, the matter will be closed. Individuals will not be treated or regarded any differently for raising the concern, and confidentiality will continue to be protected.

**7.3.2.** Newquay Foodbank will provide feedback on the progress and outcome of any investigation, wherever possible. If individuals are unhappy with the outcome, or feel that they are unable to raise concerns within the charity, they could consider raising them with an appropriate authority, for example:

- The police, about a crime or concern about someone's safety;
- HMRC, for concerns about tax, like money laundering or tax evasion;
- Action Fraud, in the case of fraud;
- The Charity Commission.

## **8. REVIEW**

**8.1.** This policy and its implementation will be reviewed at least every three years or where legislative changes occur.