

AdvoCard Whistle Blowing Policy

Policy Statement

AdvoCard is committed to ensuring that any concerns that staff members have in relation to criminal activity or malpractice will be taken seriously and investigated. A disclosure to the managers or Board of Directors will be kept confidential if the member of staff has an honest and reasonable suspicion that the malpractice has occurred, is occurring or is likely to occur. Staff who raise concerns reasonably and responsibly will not be penalised in any way.

It is the duty of every member of staff to speak up about genuine concerns in relation to criminal activity, negligence, breach of contract, danger to health and safety, malpractice or the infringement of any of AdvoCard's policies and procedures, and the covering up of any of these in the workplace. This applies whether or not the information is confidential.

Who this policy is for

This policy is for people employed by the AdvoCard whether they are on a permanent or short-term contract. It also applies to all volunteers whether they are on the AdvoCard Board of Directors or are Volunteer Advocacy Workers.

In the event that a member of staff or volunteer is provided with information from a service user which is a cause for concern then the procedure within this policy should be considered and followed.

Guiding principles

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

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

- Treat victimisation of whistle blowers as a serious matter, possibly leading to disciplinary action which may include dismissal
- Not attempt to conceal evidence of poor or unacceptable practice
- Take disciplinary action if an member of staff destroys or conceals evidence of poor or unacceptable practice or misconduct
- Ensure confidentiality clauses in employment contracts do not restrict, forbid or penalise whistle blowing
- Liaise with the Department of Health and Social Care and other organisations (see Independent advice and further reading) to whom staff can report malpractice.

Procedure

- Any individual who has reasonable suspicions of malpractice should initially take their concerns to their Line Manager. If they do not feel that this is the appropriate person, they should approach another manager or go direct to one of the AdvoCard Board of Directors.
- 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 an appropriate person of their choice at any stage of this procedure. Advice will be given at the time as to who would be appropriate.
- The Director or Board member will establish and record the basis of the concerns that have been raised and establish what further actions are required.
- All disclosures will be investigated. All reports will be dealt with in confidence, with only staff who need to know being informed. Investigations will be thorough and will be in accordance with policy
- 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 member of staff will be informed in writing.
- In the case of disclosures of alleged illegal activity the appropriate body will be informed. This could for example be the police or AdvoCard's independent auditors (in the case of fraud) or the

Office of Scottish Charity Regulator (OSCR) or the relevant funding body. The informing of such bodies will only be dealt with by an Office Bearer of the Board of Directors.

- 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 the AdvoCard Board of Directors who will consider the appropriate course of action. This will usually involve an opportunity to appeal to a third party such as AdvoCard's funding body if needed and appropriate.

Independent advice and further reading

Employees who feel unsure about whether or how to raise a concern or want confidential advice can contact the independent charity Public Concern at Work on 0207404 6609 or email helpline@pcaw.co.uk. 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 474747.

Public Concern at Work and ACAS can advise on the circumstances when it is more appropriate to contact an outside body.

Should you feel that it is more appropriate to report a matter to another organisation, you may wish to consider contacting the following organisations;

- Planning and Commissioning Officer - Mental Health, City of Edinburgh Council, Department of Health and Social Care, Waverly Court, 4 East Market St, Edinburgh. EH8 8BG. Tel: 0131 553 8467.
- Office of the Scottish Charity Regulator (OSCR), 2nd Floor, Quadrant House, 9 Riverside Drive, Dundee, DD1 4NY. Tel: 01382 220446. Email: info@oscr.org.uk
- Independent Auditor, Alexander Sloan, 1 Atholl Place, Edinburgh. EH3 8HP. Tel: 0131 2287979. Email: info@alexandersloan.co.uk