



Whistleblowing Policy

February 2021

This policy applies to all employees, members (including Board Members) and volunteers or anyone working on behalf of Creative Crieff and Radio Earn.

The purpose of this policy is to reinforce Creative Crieff's commitment to recognising that it is important that any fraud, misconduct or wrongdoing by staff or others working on behalf of Creative Crieff is reported and properly dealt with. We therefore require all individuals to raise any concerns that they may have about the conduct of others in the charity or the way in which the organisation is run. This policy sets out the way in which individuals may raise any concerns that they have and how those concerns will be dealt with.

Background

The Public Interest Disclosure Act 1998 amended the Employment Rights Act 1996 to provide protection for workers who raise legitimate concerns about specified matters in the public interest. These are called "qualifying disclosures". A qualifying disclosure is one made by a member of staff, a member or a volunteer who has a reasonable belief that

- a criminal offence;
- a miscarriage of justice;
- an act creating risk to health and safety;
- an act causing damage to the environment;
- a breach of any other legal obligation; or
- concealment of any of the above;

is being, has been, or is likely to be, committed. It is not necessary for one to have proof that such an act is being, has been, or is likely to be, committed - a reasonable belief is sufficient. One has no responsibility for investigating the matter - it is the charity's responsibility to ensure that an investigation takes place.

If a staff member or a member makes a protected disclosure they have the right not to be dismissed, subjected to any other detriment, or victimised, because they have made a disclosure. We encourage all to raise concerns under this procedure in the first instance.

Principles

- Everyone should be aware of the importance of preventing and eliminating wrongdoing at work or in the course of operations. Staff and others working or volunteering on behalf of the charity should be watchful for illegal or unethical conduct and report anything of that nature that they become aware of.
- Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation reported back to the person who raised the issue.
- No employee, member or other person working on behalf of the charity will be victimised for raising a matter under this procedure. This means that the continued employment and opportunities for future promotion or training of a worker will not be prejudiced because they have raised a legitimate concern.
- Victimisation of an individual for raising a qualified disclosure will be a disciplinary offence.
- If misconduct is discovered as a result of any investigation under this procedure our disciplinary procedure will be used, in addition to any appropriate external measures.
- Maliciously making a false allegation is a disciplinary offence.
- An instruction to cover up wrongdoing is itself a disciplinary offence. If told not to raise or pursue any concern, even by a person in authority such as a manager, you should not agree to remain silent. Members of Staff should report the matter to their Line Manager or the Chair of the Board of Trustees; members or volunteers should report the matter to the Chair of the Board of Trustees.

Procedure

This procedure is for disclosures about matters other than a breach of a staff member's own contract of employment, which should be raised via the Grievance Procedure contained therein.

Stage 1: In the first instance, any concerns should be raised with the Line Manager, who will arrange an investigation of the matter. The investigation may involve one and other individuals involved giving a written statement. Any investigation will be carried out in accordance with the principles set out above. A statement will be taken into account, and one will be asked to comment on any additional evidence obtained. The Line Manager will take any necessary action, including reporting the matter to the Chair of the Board of Trustees and any appropriate government department or regulatory agency. The Line Manager will also invoke any disciplinary action required. On conclusion of any investigation, one will be told the outcome and what the charity has done, or proposes to do, about it. If no action is to be taken, the reason for this will be explained.

**Creative Crieff is a Scottish Guarantee Company (Company Number SC637020)
And a Registered Scottish Charity (Charity Number 049788)
Registered Office: The Old Garage, Mill Hills, Crieff, Perthshire PH73QW**

Version 1.0/01.06.2020



Stage 2: If one is concerned that the Line Manager is involved in the wrongdoing, has failed to make a proper investigation or has failed to report the outcome of the investigations to the relevant person, then they should escalate the matter to the Chair of the Board of Trustees. The Chair will arrange for a review of the investigation to be carried out, make any necessary enquiries and make their own report to the Board.

Stage 3: If on conclusion of stages 1 and 2 one reasonably believes that the appropriate action has not been taken, then one should report the matter to the relevant body. This includes:

- HM Revenue & Customs
- The Health and Safety Executive
- The Environment Agency
- The Serious Fraud Office
- The Office of the Scottish Charitable Regulator
- The Pensions Regulator
- The Information Commissioner
- The Financial Conduct Authority

You can find the full list in The Public Interest Disclosure (Prescribed Persons) Order 2014:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/496899/BIS-16-79-blowing-the-whistle-to-a-prescribed-person.pdf

Data protection

When an individual makes a disclosure, we will process any personal data collected in accordance with the data protection policy. Data collected from the point at which the individual makes the report is held securely and accessed by, and disclosed to, individuals only for the purposes of dealing with the disclosure.

We are committed to reviewing our policy and good practise annually.

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