



Whistleblowing

The purpose of this policy is to provide a safe, confidential way to raise concerns about wrongdoing, malpractice, or criminal behaviour. It applies to everyone involved with CCM, including current and former employees, trustees, volunteers, contractors, and job applicants.

Change Control			
Issue 1	Dec 2022	Version 1	Policy created by Neil Barnes.
Issue 2	23/04/2025	Version 2	Updated by Finance Committee. Reformatted.
Next review date: April 2026			

1. Introduction

This policy applies to everyone involved with City of Chelmsford Mencap (CCM), including current and former employees, trustees, volunteers, contractors, and job applicants.

Its purpose is to provide a safe, confidential way to raise concerns about wrongdoing, malpractice, or criminal behaviour. It also ensures that CCM meets its legal duties under whistleblowing laws.

You will not be treated unfairly for speaking up. We encourage a culture of openness and believe that raising concerns early helps prevent harm and supports accountability. You don't need to have proof before raising a concern — a genuine worry is enough.

We take all concerns seriously and aim to treat whistleblowers as helpful witnesses, not complainants.

However, if someone knowingly makes a false or malicious allegation, it may result in disciplinary action.

2. Legal Background

The *Public Interest Disclosure Act 1998* (PIDA) protects workers who raise concerns in the public interest about wrongdoing such as crime, fraud, health and safety risks, or cover-ups. The law protects whistleblowers from dismissal or victimisation if they raise genuine concerns.

You must:

- **Reasonably believe** the information shows wrongdoing or risk
- **Raise the concern in the public interest** (not for personal gain)

This policy follows PIDA and the Enterprise and Regulatory Reform Act 2013.

3. What Counts as Whistleblowing?

Whistleblowing is when you raise a concern about serious wrongdoing, including:

- A criminal offence
- Breaching a legal duty or contract
- Miscarriage of justice
- Endangering someone's health or safety
- Environmental damage
- Deliberate concealment of any of the above
- Withholding important information that should have been disclosed to the charity

These are called “*qualifying disclosures*” under UK law.

4. Who Can You Speak To?

You can raise your concern in the way that feels safest to you.

Internally (within CCM):

- Speak to your **line manager**
- If the concern involves your manager, speak to the **next manager up**
- Or, contact a **trustee** directly
- Alternatively, you can contact the charity's **Confidential Reporting Officer**, Bryan Powell. His email address is bryan.powell@cityofchelmsfordmencap.co.uk

Externally (outside CCM):

You can report to an official body (called a "prescribed person") if:

- You reasonably believe the information is true
- You're not doing it for personal gain
- You believe it's right to go outside the charity

A list of prescribed people and bodies (like the Charity Commission or Care Quality Commission) is available here:

➞ [List of prescribed persons \(GOV.UK\)](#)

To the Media or Public

You are only protected by law if disclosing publicly (e.g. to the press) is reasonable in the circumstances — this is a very high bar and should only be considered if other routes have failed or are unsafe.

5. What Happens When You Raise a Concern?

When you raise a concern, CCM will:

- Respond in writing within **two weeks**
- Let you know who is dealing with the matter and how to contact them
- Ask if you have any personal interest in the issue
- Offer a written summary of your concern
- Explain what will happen next and how you'll be kept informed
- Offer access to support (e.g., HR support, counselling, or signposting to legal advice)

Your concern may be:

- Investigated internally by management
- Referred to the Board of Trustees
- Investigated independently
- Passed to external regulators or police, if appropriate

6. Confidentiality and Anonymity

You can raise a concern in confidence, and your identity will be protected wherever possible.

You can also raise a concern **anonymously**, but this may make it harder to investigate and update you.

We will never share your identity without your consent unless legally required to do so (e.g., for a criminal investigation).

7. Protection from Victimisation

You will not be treated unfairly, dismissed, or victimised for raising a genuine concern. If you are mistreated as a result of whistleblowing, CCM will take it very seriously and disciplinary action may be taken against those responsible.

You don't have to prove wrongdoing — a **reasonable suspicion** is enough. If you're unsure, you can still speak to someone in confidence.

8. Responsibilities

Board of Trustees

- Review and approve this policy regularly
- Act in accordance with it
- Monitor how well it is being implemented

Senior Management

- Share and explain this policy with staff and volunteers
- Make sure it is followed correctly

All Staff, Trustees and Volunteers

- Read, understand, and follow this policy
- Raise concerns responsibly and in good faith

9. Monitoring and Learning

The Board will receive a summary report each year on how many whistleblowing concerns were raised (without naming anyone), what happened as a result, and any improvements made.

10. Policy Review

This policy will be reviewed every year, or sooner if the law changes.