

Whistleblowing Service - Frequently Asked Questions

What is Whistleblowing?

Whistleblowing is the term used when a member of staff (or a volunteer) passes on information concerning wrongdoing. The wrongdoing will typically (although not necessarily) be something they have witnessed at work.

To be covered by whistleblowing law, a worker who makes a disclosure must reasonably believe two things:

1. That they are acting in the public interest. This means that personal grievances (for example bullying, harassment or discrimination) are **not covered by whistleblowing law**, unless the particular case is in the public interest. .
2. That a worker must reasonably believe that the disclosure tends to show past, present or likely future wrongdoing falling into one or more of the following categories:
 - criminal offences (this may include, for example, types of financial impropriety such as fraud)
 - failure to comply with an obligation set out in law
 - miscarriages of justice/ unfair treatment
 - endangering of someone's health and safety
 - damage to the environment
 - covering up wrongdoing in the above categories

Whistleblowing law is covered in the Employment Rights Act 1996 (as amended by the Public Interest Disclosure Act 1998). It provides the right for a worker to take a case to an employment tribunal if they have been victimised at work or they have lost their job because they have 'blown the whistle'.

N.B. As outlined above, personal grievances are not covered by whistleblowing law, unless the particular case is in the public interest. Personal grievances should be raised in the first instance through the Resolution Policy, which can be found on [inside.barnardos](https://www.inside.barnardos.com) ([here](#)).

What is the difference between whistleblowing and a grievance?

The difference between whistleblowing and a grievance can be difficult to discern. Protect-advice.org.uk have produced a table as a guide between the two processes (see below):

Whistleblowing

- ✓ Risk to others – whistleblowing is about raising concerns relating to wrongdoing risk or malpractice that you witness in the workplace.
- ✓ Public interest – these concerns should be in the public interest, and unlike grievances, the concerns may not even affect you at all, but will have wider implications on the public.
- ✓ Process – there is no set process for investigating whistleblowing concerns however there is good practice guidance. There is also no right to be accompanied to a meeting with your employer to discuss your concerns.
- ✓ Confidentiality – your employer should respect your wish for confidentiality.
- ✓ Feedback – you may never know the outcome of a whistleblowing concern, for example, if your employer investigates the behaviour of another individual and disciplines them as a result, that would be confidential information between the employer and that other individual.
- ✓ Appeal – there is no general right to appeal if you are unhappy with how your employer deals with your whistleblowing concerns, however this is where you may want to consider escalating your concerns (but check their policy to see if they have one).

Grievance

- ✓ Risk to self – grievances are typically issues about how you exclusively are being treated and not the treatment of others.
- ✓ Types of issues – grievances can be raised about things you are asked to do about your job, if your employer has breached your employment rights or your contract of employment, and the way you are personally being treated at work – this is not an exhaustive list.
- ✓ Process – ACAS (Advisory, Conciliation and Arbitration Service) has set out Codes of Practice in relation to discipline and grievance procedures. You can find more information about how to raise a grievance on the ACAS website.
- ✓ Support – you have the right to be accompanied at a grievance hearing where the complaint is about your employer breaching a term of your employment contract.
- ✓ Outcome – grievances come to a legal determination on the issue that you raise. The ACAS Codes provide for employees to be given the outcome of their grievance e.g. an apology, a payment due or a change to the working practices.
- ✓ Appeal – you should be given the opportunity to appeal should you feel unsatisfied with the outcome.

What can be reported?

Our whistleblowing service, operated by our independent provider Safecall, is available to receive reports about concerns in the public interest related to wrongdoing at Barnardo's. This could include for example:

- Fraud
- Security issues
- Health and Safety
- Data Breaches
- Bribery
- Corruption
- Environmental damage
- Dishonesty (covering up of wrongdoing)

The Service is for concerns where the interests of others (in the public interest), or of the charity itself, are at risk, whether they are happening now, took place in the past, or are likely to happen in the future.

A whistleblower does not need to provide evidence for Barnardo's to investigate the concerns raised.

Any so-called 'gagging clauses' in settlement agreements do not prevent workers from making disclosures in the public interest.

If you are an employee/worker and your concern is a personal grievance matter involving other Barnardo's colleague(s) you should use the Resolution Policy or other applicable policy. The Resolution Policy can be found on inside.barnardos ([here](#)).

N.B. When raising a Whistleblowing concern you may be advised to pursue it under a different applicable policy.

Who is Safecall?

Safecall is an independent whistleblowing service provider that operates a confidential reporting service for many global businesses and it is available 24 hours a day and is staffed by highly skilled professional call handlers. Their offices are based in the UK and can be reached 24/7 365 days of the year via the Freephone number listed below (see section 'How to contact Safecall').

Why do Barnardo's use Safecall?

Given how seriously we take whistleblowing and how difficult it can be for people to speak up, we feel it's important to have in place a professional service (such as Safecall) and one completely independent of Barnardo's, as the first point of contact for any whistleblowing concerns.

We appointed Safecall as our preferred whistleblowing service provider in 2021, having undertaken a rigorous procurement exercise. The Safecall system includes a case management application with the capability to triage cases directly to investigators and provides a secure (and anonymous if required) route for investigators to engage with reporters directly. A key feature of Safecall's system is the ability for reporters to remain semi anonymous, whereby the reporter's identity is only known to Safecall. This protects the reporter's identity and provides a means for investigators to contact reporters (i.e. via Safecall), helping to ensure a thorough investigation is possible. Finally, the Safecall system is supported by dedicated interpreters meaning reports can be made in many languages (170 in total).

How does the Safecall Whistleblowing service work?

There are two main ways you can contact Safecall, by Freephone number or by submitting a report via Safecall's website, see below for details. When you contact Safecall by phone you will be asked by the call handler to explain your concern in as much detail as possible. During this conversation, the call handler will take notes and may ask supplementary questions to help support the information you provide.

Once the report is complete, Safecall will forward a written report to designated individuals within the Audit and Assurance team. These individuals will then assess the report to determine the most suitable course of action.

All concerns reported are reviewed diligently and discreetly and, where appropriate, feedback is provided to the reporting individual.

How do I contact Safecall?

In the first instance, you should raise your concerns with your manager or your primary Barnardo's contact. You can do this verbally or in writing. If you feel unable to approach your manager or primary Barnardo's contact, or you believe they might be involved in the issue, you can use the whistleblowing hotline operated by Safecall to raise your concern via the contact details below:

0800 915 1571

www.safecall.co.uk/barnardos

Can I remain anonymous?

Yes. If you choose not to disclose your identity to Safecall, they will not know who you are. Even if you accidentally mention your name during the call, Safecall will not pass it on unless you explicitly want them to. Furthermore, Safecall does not audio record any calls. This measure helps protect the identity of anonymous callers.

When you make a report, you will have the choice to report as follows:

- **Named:** You agree that your identity can be passed by Safecall to Barnardo's.
- **Semi Anonymous:** You agree to provide your identity to Safecall but you do not want this passing to Barnardo's. Safecall may contact you using the details you have provided.
- **Anonymous:** You do not want to provide your identity to Safecall or Barnardo's.

I'm a volunteer, can I whistleblow?

In the UK, whistleblowing protection is primarily designed for workers and employees. As a volunteer, you may not be covered by the same protections under employment law, however, you can report serious wrongdoing to Barnardo's and/or the Charity Commission. We treat all reports received seriously and will follow the steps outlined below whatever the source of the report (i.e whether from an employee, volunteer or member of the public). If you have a non-whistleblowing concern, please contact your local volunteering coordinator or the UK Volunteering Team general enquiries at volunteering@barnardos.org.uk

How will Barnardo's respond?

All concerns raised are received and logged by Safecall, who are independent of Barnardo's. Concerns are then passed to Audit and Assurance (A&A), confidentially and if requested, anonymously, for review. On receiving your concern, you will be contacted by Audit and Assurance (A&A) in confidence, usually within 3 working days, to acknowledge receipt of your concern.

A&A will carry out an initial assessment of your report to consider the most appropriate next steps; known as our fact finding stage. If an investigation, under the whistleblowing policy, is not deemed appropriate we will inform you and, where applicable, provide advice on more suitable methods of raising your concerns (e.g. if your concern is a personal grievance or complaint, this would normally be dealt with under our Resolution Policy).

Within 10 working days we aim to provide (this may be longer in more complex cases) confirmation of:

- how it is proposed to deal with this matter
- whether further investigations will take place or if not deemed appropriate, why this decision has been made
- where an investigation is deemed appropriate, an investigating manager will be appointed, the details of which will be shared with you
- where applicable temporary alternative working arrangements will be put in place, while investigations are ongoing.

You will receive a progress update within 20 working days of the initial enquiries and further updates as enquiries progress.

If a report is received anonymously and an investigation is deemed appropriate, we will undertake enquiries, but it is likely to be more difficult to investigate your concerns if you remain anonymous. Similarly, it will also be more difficult to provide progress updates when the report is anonymous and contact details are not provided. If you do wish to remain anonymous, please ensure you provide a sufficient amount of information to enable your concerns to be properly investigated.

How will Barnardo's investigate?

The Director of A&A or nominated member of A&A, in consultation with the relevant senior manager in the area about which the whistleblowing concern is raised (where the concern is not perceived to involve them), will determine who will perform the investigation. If there is an actual or perceived risk to the independence and objectivity of the investigation, this will be undertaken in full by a member of A&A.

If the complaint is made about a member of the Corporate Leadership Team (not including the CEO), the CEO is responsible for determining the appropriate course of action, including who will perform the detailed investigation, where required. If the complaint is related to the CEO the Chair of Risk Committee is responsible for determining the appropriate course of action, including who will perform the detailed investigation, where required.

If the complaint is made about a member of the Board of Trustees, then the CEO, in consultation with the Chair of the Board, is responsible for determining the appropriate course of action, including who will perform the detailed investigation, where required. If the complaint is related to the Chair of Board the Senior Independent Trustee or the Chair of Risk Committee will be consulted.

The investigator will contact you to discuss your concerns in more detail. If necessary, the investigator will meet with you to find out all the facts and check any details. You may be asked to give a written statement. Once the investigator clarifies your concerns, if he/she believes the concerns fall outside this policy you will be advised of the alternative route to follow.

The investigator will keep you informed as to the likely duration of the investigation.

Once the investigation is complete and the responsible director has signed off the whistleblowing case, we will then contact you to confirm the outcome, where possible. Because of confidentiality and data protection we may not be able to share details of our findings with you, but we will discuss this with you and, where we can, explain our decisions.

Throughout the investigation we will remain diligent and keep our records secure.

If I have to attend meetings, can I get support?

If you want to be supported at a meeting in relation to a whistleblowing concern please make your request in good time. If you do not work for Barnardo's you should discuss your support needs with the investigator and agree with them an appropriate person to support you. Volunteers may also want to discuss support options with their local volunteer advisor.

If you are a Barnardo's worker you can request to be accompanied by a companion including UNISON/other trade union representative, or another Barnardo's worker, at any formal meetings. See our Sources of Support' guidance <https://inside.barnardos.org.uk/people-and-culture/wellbeing/sources-support>.

We will make reasonable adjustments to this policy and the investigation process for individuals with a disability, impairment or health condition that are needed to enable their participation.

What if I am unhappy with the outcome?

If you do not think your concerns have been addressed you may appeal the decision by contacting the Director of People and Culture within 20 working days of receipt of the outcome. You should state clearly and succinctly the reasons you are appealing and any alternative outcome you think appropriate. The purpose of the appeal is to assess if the conclusions and actions decided during the investigation were appropriate based on all the evidence available.

The Director of People and Culture may refer the appeal to a senior responsible manager. You will be contacted to discuss your appeal and then a decision will be made as to whether any further investigation is needed as part of the appeal.

If your original complaint or appeal relates to the Director of People and Culture or a member of the Director of People's team, you may appeal directly to the Corporate Director: Business Services.

The Appeal Owner will contact you to explain the outcome of the appeal and any new or changed actions. Because of confidentiality and data protection we may not be able to give you full details of our findings but we will discuss this with you fully and explain our decisions. This is the end of the internal process (within Barnardo's).

What if I appeal and I am still not happy?

As a Barnardo's employee/worker or volunteer we strongly encourage you to use this policy first before using any external routes for making protected disclosures.

If you are unhappy with how Barnardo's has dealt with your whistleblowing complaint, despite following the steps described in section 3, the Charity Commission provides

additional guidance on which regulatory body to contact (see: <https://www.gov.uk/complain-about-charity>, this link also includes details of what to do if you are based in Scotland or Northern Ireland), this includes the following bodies:

- The Charity Commission
- The Fundraising Regulator (see further details below)
- Advertising Standards Authority
- Ofsted
- The Police, if you suspect illegal activity.

What do I do if I have a Fundraising Concern?

For whistleblowing complaints regarding Barnardo's fundraising practices only: in the event that you remain dissatisfied with the response you have received, you are entitled to take your concerns to the [Fundraising Regulator](#), or alternatively to the Charity Commission.

The Fundraising Regulator is an independent body that works to ensure that charities raising money from the public do so honestly and protects the public, donors and potential donors, not least those who may be vulnerable, from unacceptable fundraising practices.

Barnardo's is a member of the Fundraising Regulator and we are committed to abide by any decision they reach on complaints which are escalated to them.

As Barnardo's is headquartered in England, any fundraising complaints relating to activity in Scotland, Wales and Northern Ireland can be submitted to the Fundraiser Regulator complaints team.

Should you wish to contact the Fundraising Regulator, you may do so here: [Contact us | Fundraising Regulator](#)