

Whistleblowing Policy (Public Interest Disclosure Act)

Policy Sponsor	Corporate Director: Business Services
Policy Owner	Director of Audit & Assurance
Date Approved	March 2024
Date for review	March 2027 (3 year review cycle)
Distribution	Internal/External/Non Confidential

1. Purpose

Barnardo's is committed to the highest standards of openness, accountability and integrity. We believe it is important for individuals to raise concerns about wrongdoing because this enables the best outcomes for our beneficiaries.

Whistleblowing is the reporting of a concern in the public interest that something is happening within or in relation to Barnardo's that should not be, or something that is not happening that should be. This policy explains how you can raise a whistleblowing concern and what you can expect from us if you do.

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 and complaints are not usually covered by whistleblowing law.
2. That a worker must reasonably believe that the disclosure tends to show past, present or likely future wrong-doing 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
 - endangering of someone's health and safety
 - damage to the environment
 - covering up wrong-doing in the above categories

Examples of the types of concerns covered by this policy include:

- malpractice involving a Barnardo's beneficiary or which puts at risk the safety of children and/or young people;
- malpractice that seriously affects the quality of service provision or puts Barnardo's reputation at risk;
- inappropriate/sexual relationships between a worker or volunteer and a person who accesses our services;

- fundraising practices or a fundraiser's unreasonable behaviour. This may include using undue pressure, misleading or excessive requests, and not taking into account the needs of any potential donor who may be in a vulnerable circumstance or require additional care and support to make an informed decision;
- unethical behaviour that contravenes Barnardo's basis and values;
- fraud/financial irregularity, money laundering, bribery and any form of corruption;
- environmental damage;
- a breach of any legal or regulatory obligation;
- an act creating risk to health and safety;
- a criminal offence; or
- concealment of any of the above.

This policy 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. If you are an employee/worker and your concern is about a personal grievance involving another employee (or volunteer) you should use the Resolution Policy which may be found here:

Resolution Policy - <https://inside.barnardos.org.uk/resolution-policy>

If you are a volunteer, and have a non-whistleblowing concern, please contact your local volunteering coordinator or the UK Volunteering Team general enquiries at volunteering@barnardos.org.uk

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

Fraud/Financial Irregularity

Whilst concerns relating to fraud/financial irregularity can be reported through the whistleblowing process, Barnardo's also has a dedicated financial crime escalation procedure to report suspected, potential or actual fraud or financial crime incidents. The procedure and reporting form are available through [Inside Barnardo's](#). If you are in doubt as to whether an incident is a potential fraud or not, you should report it.

2. Scope

This policy applies to:

- all trustees, employees, contractors and volunteers in Barnardo's;
- those accessing our services, including children, young people, parents, carers and adoptive or foster parents/carers;
- Barnardo's donors; and
- other third parties interacting with representatives of Barnardo's.

3. Policy

How to raise a concern

In the first instance you should raise your concerns with your manager or your main Barnardo's contact. You can do this verbally or in writing. If you feel unable to approach your manager or main Barnardo's contact, or you are concerned they may be involved, you can submit a concern via the whistleblowing hotline run by Safecall, Barnardo's independent whistleblowing service provider, using the contact details below:

- Freephone 0800 915 1571
- www.safecall.co.uk/barnardos

How Barnardo's will 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 as referenced in Section 1).

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. 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 we will 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 (e.g. where you have chosen to remain anonymous), but we will discuss this with you fully and, where we can, explain our decisions.

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

How to appeal a decision

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).

Following this process, you are entitled to take your whistleblowing complaint up outside of Barnardo's (explained further in section 4).

Taking your complaint outside Barnardo's

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.

Fundraising Concerns

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.

Contact the Fundraising Regulator are available here - [Contact us | Fundraising Regulator](#)

4. Additional Policy Notes

Confidentiality

All concerns will be treated as private and confidential. If you do not want your name to be disclosed, Safecall will protect your identity. If full confidentiality is not possible in order to adequately pursue an investigation, we will contact you to discuss this before taking any further action.

Anonymity

If you only feel comfortable in raising a concern anonymously we will still take your concerns seriously. However, it is harder to investigate anonymous concerns, and therefore we will complete an initial assessment of the report before deciding on the appropriate next steps, as outlined in Section 3 'How Barnardo's will respond'. We therefore encourage you to disclose your identity to Safecall as a minimum, as this ensures a thorough investigation can be carried out and that the matter is dealt with appropriately. It also means that any concerns raised that may present safeguarding risks to you or others can be properly dealt with.

You can discuss any concerns you may have about confidentiality and anonymity with a member of Safecall via the Whistleblowing Hotline 0800 915 1571.

Worker Protection

Under the **Public Interest Disclosure Act**, you are protected as a worker (does not include volunteers) from detrimental treatment or victimisation from Barnardo's, if in the public interest, you blow the whistle on wrongdoing (see full details: <https://www.gov.uk/guidance/report-serious-wrongdoing-at-a-charity-as-a-worker-or-volunteer>)

If you are a Barnardo's employee/worker or volunteer and use this policy to raise a concern which you have a reasonable belief is true, Barnardo's commits that you will not be dismissed for doing so, subjected to any other detriment, or victimised, because of any protected disclosure you have made. You will not be penalised for being mistaken if you raise concerns that turn out to be unfounded.

Support at meetings

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.

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.

False or malicious allegations

If investigations conclude that you have knowingly made a false or malicious allegation against a colleague you will be subject to the disciplinary procedure.

We will take disciplinary action or equivalent against anyone who victimises an employee/worker or volunteer for raising concerns under this policy.

5. Support and Advice

For all :

- **Safecall (UK wide)**, this is Barnardo's independent whistleblowing service provider. This service can be accessed by calling 0800 915 1571, or via Safecall's website at www.safecall.co.uk/barnardos
- **Protect (UK wide)**, this is an independent authority offering free advice to people concerned about danger or misconduct in the workplace but who are unsure whether to or how to raise the matter. This service can be accessed by calling 020 7404 6609, or by email: whistle@protect-advice.org.uk
- **Ofsted Whistleblowing Hotline (England only)** on 0300 1233155 or via email: whistleblowing@ofsted.gov.uk
- **Health & Safety Executive (England, Wales and Scotland only)** – contact using the following online form: <http://www.hse.gov.uk/contact/whistleblowers.htm>

For Barnardo's employees/workers and volunteers:

- **Barnardo’s Employee Assistance Programme**
This is a confidential service, which provides an opportunity to talk through any issues or concerns. This service can be accessed by calling: 0800 716 017.
- **Your Local People Team**
- **UNISON/Trade Union representative**
UNISON branch line: 0870 609 3342.

6. Definitions and Key Concepts

Disclosure A concern raised by a worker under the Public Interest Disclosure Act is called a ‘disclosure’. Some disclosures may also be referred to as ‘protected disclosures’.

7. Roles and Responsibilities

Roles	Responsibilities
<i>Risk Owner</i>	<i>Ultimately accountable for ensuring the risk is managed appropriately and responsibilities include keeping this policy remains fit for purpose, ensuring training is delivered, risk reporting is undertaken and the risk register is kept current.</i>
<i>All Managers</i>	<i>Directly responsible for implementing the Policy within their operational areas and for adherence by staff they line manager.</i>
<i>All trustees, staff and volunteers</i>	<i>Must comply with this Policy and engage in any relevant training at appropriate intervals</i>
All ‘in scope’ individuals and third parties	To report concerns directly to their line manager or Safecall.
Line Manager	To ensure their staff are aware of the whistleblowing policy. To report whistleblowing complaints received to Safecall. To assist with or lead a confidential investigation of the whistleblowing complaint, where appropriate, as directed by Internal Audit (A&A).
Safecall	To receive and record all whistleblowing complaints taken, on behalf of Barnardo’s.

	<p>To provide guidance on other appropriate avenues for raising concerns, where applicable.</p> <p>To provide notification to Barnardo's nominated officers (A&A) of new whistleblowing complaints.</p>
Audit and Assurance	<p>To review all whistleblowing complaints recorded by Safecall and determine appropriate course of action, including contacting line management where appropriate.</p> <p>To lead on or support line management with investigations into whistleblowing complaints.</p> <p>To report on individual whistleblowing cases, confidentially, to the Risk Committee.</p>
Policy Sponsor (Corporate Director: Business Services)	<p>To ensure: the policy and associated processes and procedures are reviewed at regular intervals and remain appropriate in the light of legislation and emerging best practice; the policy is appropriately implemented and enforced; the Risk Committee receives relevant and timely information to assist in its oversight and monitoring of the policy.</p> <p>To respond to whistleblowing complaints relating to A&A and to respond to appeals related to the People team.</p>
Director of People and Culture	<p>To respond to appeals related to the treatment and response to a whistleblowing complaint.</p>
Corporate Leadership Team (CLT)	<p>To reinforce the importance of adherence to this policy and all associated processes and procedures on an ongoing basis.</p>
CEO	<p>To respond to whistleblowing complaints about another CLT member and determine the appropriate course of action.</p>
Risk Committee	<p>To oversee and monitor the adequacy and effectiveness of the policy and associated processes and procedures across Barnardo's.</p>

Chair of Risk Committee	To determine the appropriate course of action where the complaint is related to the CEO or Chair of the Board.
Chair of the Board	To determine the appropriate course of action where the complaint is related to a member of the Board of Trustee's.
Senior Independent Trustee	To determine the appropriate course of action where the complaint is related to a member of the Chair of the Board.
Board of Trustees	To review and approve the policy at relevant intervals; and receive regular reports from the Risk Committee in relation to its oversight and monitoring of the policy, including the outcomes of any relevant investigations.

8. Associated Legislation, Guidance, References and Documents

Public Interest Disclosure Act 1998 (PIDA)
([Whistleblowing and the Public Interest Disclosure Act 1998 \(c.23\) \(accessible version\) - GOV.UK \(www.gov.uk\)](#))

Charity Commission Whistleblowing guidance (<https://www.gov.uk/whistleblowing>)

9. Compliance and Oversight

Compliance with this policy will be monitored by Audit and Assurance (A&A) and outcomes reported to the Risk Committee.

10. Review and Approval

This policy will be reviewed by the Policy Owner at least every three years or earlier in the event of changes in the legislation; identification of serious weaknesses in relevant processes and procedures; or in light of the outcomes of whistleblowing investigations, requiring policy amendments.

The Policy will be subject to approval by the Board of Trustees.

11. Version History

Document History	Date	Author	Comments	Approval
001	01.04.15	Toni Court	Agreed by CMT	
002	25.01.18	Director of A&A	Agreed by Board	Updated Whistleblowing policy
003	23.11.18	Senior Internal Auditor	Draft	Updated to include details of the independent WB link (Expolink).
004	March 2019	Internal Audit Manager	Approved	Approved by CLT
005	28.10.19	Senior Internal Auditor	Draft	Review and update of Whistleblowing policy
006	February 2020	Senior Internal Auditor	Approved	Approved by CLT
007	November 2021	Internal Audit Manager	Approved	Approval Director of Audit and Assurance. Minor updates to include the details of independent Whistleblowing line (Safecall)
008	March 2024	Head of Internal Audit and Operational Risk	Approved	Policy refresh and minor updates