Montgomeryshire Youth Theatre

Whistleblowing Policy

**What is Whistleblowing?**

Whistleblowing, or public interest disclosure, is when a worker reports a concern about the improper actions or omissions of their colleagues or their employer which may cause harm to others or to the organisation. Obvious examples of such improper actions include, theft, fraud, abuse, breaches of health and safety.

The disclosure should be made “in good faith”. In other words the disclosure must be made out of real concern about wrongdoing. Knowingly and maliciously making false accusations for ulterior motives is not whistleblowing. The whistleblower should reasonably believe the information and allegation is substantially true, even if the information later turns out to have been incorrect. Whistleblowing is not the same as making a complaint or raising a grievance, where the individual is saying that they have personally been poorly treated. A whistleblower is usually not directly or personally affected by the concern and therefore rarely has a direct personal interest in the outcome of any investigation into their concerns.

The charity is committed to being open, honest and accountable. It encourages a few and open culture in its dealings between Trustees and those working within the charity, both staff and volunteers.

This policy aims to help the Trustees and staff / volunteers to raise any serious concerns they may have about colleagues or their employer with confidence and without having to worry about being victimised, discriminated against or disadvantaged in any way as a result.

It is written in the context of the Public Interest Disclosure Act 1998 which protects employees who “blow the whistle” on malpractices within their organisation.

**What types of concerns?**

The policy is intended to deal with serious or sensitive concerns about wrongdoings such as the following:

* A criminal offence
* A failure to comply with any legal obligation
* A failure in the protection of children or vulnerable adults
* A miscarriage of justice
* A health and safety risk to an individual
* Damage to the environment
* A concealment of the above

It is not necessary for the individuals who raised the concern to prove the wrongdoing that is alleged to have occurred or is likely to occur. However, if an individual knowingly or maliciously makes an untrue allegation ( e.g. in order to cause disruption with the Montgomeryshire Youth Theatre) the charity will take appropriate disciplinary action against them. It may constitute gross misconduct.

Individuals should note that they will not be protected from the consequences of making a disclosure if, by doing so, they commit a criminal offence.

**How to raise a concern?**

Individuals should in most cases, first report their concern to their line manager, who is expected to respond to that matter. If the matter concerns their line manager, it should be raised with the trustees. Individuals are encouraged to raise their concerns in writing where possible, setting out the background and history of their concerns (giving names, dates and places where possible) and indicating the reasons for the concerns.

If any individual is unsure whether to use this procedure or they want independent advice at any stage, they can contact the Public Concern at Work’s legal helpline on 020 7404 6609, email: helpline@pcaw.co.uk. Public Concern at work will be able to advise on how and with whom to raise a concern about malpractice. Disclosures made to a legal advisor in the course of obtaining legal advice will be protected un the Public Interest Disclosure Act.

**Protecting the individual raising the concern**

If an individual raises a concern which they believe to be true, Montgomeryshire Youth Theatre will take appropriate action to protect the individual from any harassment, victimisation or bullying. Staff who raise a genuine concern under this policy will not be at risk of losing their job, nor will it influence any unrelated disciplinary action or redundancy procedures. The matter will be treated confidentially if the individual requests it and their name or position will not be revealed without their permission unless Montgomeryshire Youth Theatre has to do so by law. If in other circumstances the concern cannot be resolved without revealing the individual’s identity, Montgomeryshire Youth Theatre will discuss with the individual whether and how to proceed. Concerns raised anonymously tend to be far less effective but the Charity will decide whether to consider the matter taking into account:

* The seriousness of the matter.
* Whether the concern is believable.
* Whether an investigation can be carried out based on the information provided.

**How Montgomeryshire Youth Theatre will deal with the concern**

How the concern will be dealt with, will depend on what it involves. It is likely that further enquiries and/or investigation will be necessary. The concern may be investigated by the Charity, the Trustees, or it may be referred to the police, other agencies such as Social Services, an external auditor or an independent investigator.

It may be necessary for the individual to give evidence in criminal or disciplinary proceedings. Montgomeryshire Youth Theatre will give the individual feedback on the progress and outcome of any investigation wherever possible. If the suspicions are not confirmed by an investigation, the matter will be closed. Staff will not be treated or regarded any differently for raising the concern, and their confidentiality will continue to be protected.