

# WHISTLEBLOWING POLICY

<b>Policy Name:</b>	<b>Whistleblowing Policy</b>
<b>Why do we need it?</b>	As a responsible employer, we want to ensure that employees, agency workers, contractors, volunteers and members of the public have an effective way of raising concerns with regards to our work to prevent and eliminate any wrongdoing.
<b>When would you use it?</b>	When there is a suspicion of wrongdoing, or risk of wrongdoing, by employees, volunteers, agency workers or contractors.
<b>Who does it apply to?</b>	All employees, volunteers, agency workers and contractors.
<b>How is it applied?</b>	This policy sets out the procedure for raising a whistleblowing concern and the support and protection that is available to you when you do so. Diabetes UK is committed to equality of opportunity and will support and encourage all employees to raise any concerns they have in work in line with our EDI principles and values.
<b>What else should I look at?</b>	Employee Code of Conduct; Health & Safety Policy; Grievance Policy; How we Solve Problems Together; Serious Incident Reporting Procedure.
<b>Last reviewed</b>	July 2024

## 1. Introduction

Whistleblowing is a term used to refer to the internal or external disclosure of malpractice, illegal acts or omissions at work. We recognise that raising a whistleblowing concern can be daunting but please do not let this put you off raising a concern. In accordance with our duty of care our Executive Team and Board are committed to an honest and open culture.

We encourage you to report concerns internally as soon as possible where you suspect wrongdoing. We are here to listen and will take all concerns that you raise seriously.

If your concern relates to a personal grievance that is not in the public interest (for example, an allegation of bullying or harassment, or an allegation that your contract of employment has been breached), you should raise it under our separate [grievance procedure](#).

Volunteers should refer to the [How we Solve Problems Together](#) process.

If you are unsure about whether your concerns are best dealt with under the whistleblowing policy or grievance procedure, please contact HR for further advice at [hradvice@diabetes.org.uk](mailto:hradvice@diabetes.org.uk)

## 2. Whistleblowing concerns to which this policy relates

The Public Interest Disclosure Act 1998 provides protection for workers who raise legitimate concerns about specified matters. These are called "*qualifying disclosures*". A *qualifying disclosure* is one made in good faith by an individual who has a reasonable belief that one or more of the following is being, has been, or is likely to be, committed:

- a criminal offence including fraudulent and corrupt behavior, e.g. theft, fraud or malpractice) – for example, if an employer has been trying to bribe people
- the breach of a legal obligation by an organisation – for example, if an employer has neglected their duty of care towards children in a care home
- a miscarriage of justice – for example, if a member of staff has been fired for something that turned out to be a computer error
- someone's health and safety being in danger – for example, if an employer has forced staff to serve food they know has been contaminated
- damage to the environment – for example, if an employer has been regularly polluting local rivers
- concealment of any of the above

It is not necessary for you to prove the wrongdoing. However, to be protected by whistleblowing laws against detrimental treatment or dismissal, you must reasonably believe that wrongdoing (related to one of the categories listed above) is being, has been, or is likely to be committed and that your disclosure is in the public interest.

A *qualifying disclosure* also needs to be "*protected*". This means that the disclosure must be made to certain categories of people ("prescribed bodies"). Employers and regulatory bodies such as HMRC in the case of tax evasion or the Health & Safety Executive in the case of a health and safety breach are included in the [list of prescribed bodies](#) to whom disclosure must be made.

If it is found that you have maliciously raised a matter which you know to be untrue or you are involved in any way in the malpractice, wrongdoing, or illegal acts or omissions, then your behavior may be addressed through the appropriate Diabetes UK policy.

### 3. Process

- **Stage 1 - Raising a whistleblowing concern**

If you have a genuine concern relating to any type of wrongdoing that is covered under this policy, you should raise this concern as soon as possible as this will make it easier to take action, enable any problems to be resolved or reported quickly where appropriate to a relevant body.

In this section we have set out a range of options for you to raise a whistleblowing concern. If you are an employee or volunteer, we encourage you to raise your concerns with your line manager or volunteer manager in the first instance. Where this is not appropriate because they may be involved in the alleged event or circumstances in some way; you wish to remain anonymous or if you are a member of the public then there are a range of options below to report your concerns.

When raising a concern, it is important that you set out clearly:

- the details of the suspected wrongdoing;
- the names of any individuals involved; and
- and what action (if any) you are seeking.

You can raise your concern verbally, or in writing, or by completing an online form which can be done anonymously. Please see below the options available for raising a concern.

- You can complete the following online form [Anonymous Whistleblowing form](#) where you can choose to remain anonymous.
- You can contact the Director of People and Organisational Development by emailing [hradvice@diabetes.org.uk](mailto:hradvice@diabetes.org.uk);
- You can contact Graham Galvin - Director of Corporate Services who is Diabetes UK Senior Information Risk Owner
- Chair of the Board of Trustees by emailing [governance@diabetes.org.uk](mailto:governance@diabetes.org.uk)
- You can contact an appropriate ET director for the department by emailing them directly.
- You can contact our independent governance trustee Anne Heal by emailing [Anne.Heal@diabetes.org.uk](mailto:Anne.Heal@diabetes.org.uk)

Where a concern is about Diabetes UK's Chief Executive or a Trustee, the following people – referred to here as the “senior officer” should be contacted by emailing [hradvice@diabetes.org.uk](mailto:hradvice@diabetes.org.uk) and or Anne Heal by emailing [Anne.Heal@diabetes.org.uk](mailto:Anne.Heal@diabetes.org.uk)

- For the Chief Executive or a Trustee, including the Vice-Chair and Treasurer, the Senior Officer is the Chair of the Board of Trustees.
- For the Chair of the Board of Trustees the Senior Officer is the Vice-Chair of the Board of Trustees.

If appropriate, the Senior Officer may arrange for the concern to be investigated either externally and independent of Diabetes UK, or by a non-Trustee of Diabetes's UK's Governance and Nominations Committee and for appropriate follow-up to be taken.

Any manager or Senior Officer receiving a potential whistleblowing concern must notify the Director of People and Organisational Development that this has been received and inform them of progress in resolving the concern.

Please refer to point 6 in the policy on how to raise your concerns externally.

## **Stage 2 - Responding to your whistleblowing concern**

The manager, or the Senior Officer, to whom you raise your concern will decide if an investigation is required and, if it is, the most appropriate person to appoint as the investigating officer. The investigating officer will write to you confirming that they are conducting an investigation, and the timescale for completion.

The investigating officer will arrange to meet you as soon as possible, away from the workplace if more appropriate, so you can explain your concerns. Following the investigation, the relevant manager will inform you in writing, as quickly as possible after completion of the investigation, of the outcome and any next steps or action that will be taken.

Typically, the concerns raised may result in one or more of the following:

- no action required – and you will be given an explanation
- action being taken under other Diabetes UK policies or procedures
- an internal investigation under this policy
- a referral to the police or relevant statutory body
- a referral to our external auditors
- a referral to the Charity Commission
- an independent enquiry

While we aim to provide you with comprehensive feedback, in some cases this may not be possible, for example where data protection rules apply or there are sensitive issues that need to remain confidential.

## **Stage 3 - Appeal**

If you are not satisfied with how your concern has been dealt with, you should appeal to the Director of People and Organisational Development by emailing [hradvice@diabetes.org.uk](mailto:hradvice@diabetes.org.uk), or by writing to the address below. You should raise your

appeal in writing setting out clearly the grounds of your appeal, i.e. the basis on which you consider that your original concern has not been satisfactorily dealt with.

A manager will be assigned to consider your grounds for appeal and review the way your original whistleblowing concern was handled. You will be informed in writing of the outcome as quickly as possible.

#### **4. Confidentiality and anonymity**

We want you to feel comfortable about raising a whistleblowing concern openly and actively encourage you to do so.

Where you raise a whistleblowing concern openly, we will maintain your confidentiality as far as possible. If we need to reveal your identity to anyone, we will notify you beforehand. In certain instances, it may not be possible to maintain confidentiality, for example when a Serious Incident Report (SIR) needs to be made to the Charity Commission, further details can be found in the Serious Incident Reporting Procedure [How to report a serious incident](#)

You may decide to raise a whistleblowing concern anonymously by putting your concerns into writing and posting a hard copy to the Director of People & Organisational Development, Wells Lawrence House, 126 Back Church Lane, London E1 1FH, marking the envelope “confidential”. Alternatively, you can complete the online form anonymously. We encourage anonymous reporting over remaining silent. Although we will investigate any concern that is reported anonymously as best we can, an anonymous report is likely to be more difficult for us to investigate and we will not be in a position to provide you with any feedback.

#### **5. Our commitment to you**

You have the right not to be subjected to any detrimental treatment because you have raised a whistleblowing concern. If you raise a whistleblowing concern in accordance with this policy, we will ensure that you are treated with respect and provided with adequate support and protection.

If you are told not to raise or pursue a whistleblowing concern, or you believe that you have been subjected to detrimental treatment because you have raised a whistleblowing concern, you should report the matter to Director of People and Organisational Development. Alternatively, you can raise it under the Grievance Procedure if this applies to you.

If we find that an individual has knowingly raised false allegations, this will be investigated and may be treated as a disciplinary issue.

## **6. Raising your whistleblowing concerns externally**

We encourage you to raise your whistleblowing concerns internally in the first instance. If you feel that appropriate action has not been taken, you should report the matter to the correct prescribed external body or person.

You can report your concern to Crowe, who are the external auditors for Diabetes UK. The email address of the person to contact is [Naziar.Hashemi@crowe.co.uk](mailto:Naziar.Hashemi@crowe.co.uk). Please put the subject of your email or letter as “Whistleblowing - Diabetes UK”

You can report your concern to the Charity Commission. The email address to report your concern is [whistleblowing@charitycommission.gov.uk](mailto:whistleblowing@charitycommission.gov.uk)

Please refer to this website which sets out further information on how you can report your concerns externally [Report serious wrongdoing at a charity as a worker or volunteer - GOV.UK \(www.gov.uk\)](http://www.gov.uk/government/guidance/report-serious-wrongdoing-at-a-charity-as-a-worker-or-volunteer)

You should seek advice if you are thinking of raising your concern with the media as you will not have protection under whistleblowing laws unless certain conditions are met.

## **7. Further guidance**

If you need further guidance or support, you can contact the whistleblowing charity [Protect](#), [The Charity Commission](#), [Citizens Advice](#) or our [Employee Assistance Programme](#) for free confidential advice.

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