

Whistleblowing Procedure

Introduction

This procedure provides a means for volunteers, staff members, and any other individuals associated with Tutor The Nation to raise concerns about the charity's practices.

Procedure

What is whistleblowing?

Whistleblowing is the reporting of a concern in the public interest that something is happening within Tutor The Nation that should not be, or something that is not happening that should be. It can include examples of malpractice as well as illegal acts, or omissions at work.

Raising a concern

All disclosures can be made verbally or in writing, but written disclosures are preferable. When raising a concern, it is important to provide relevant context and background and to state clearly the reason that the situation described causes concern.

If an individual wishes their concern to be treated under the *Whistleblowing procedure*, they must declare this when they make the disclosure and subsequently declare whether they want their identity to be kept confidential. In some cases, it may not be possible for an individual's identity to be kept confidential, and in such cases they will be informed as soon as possible that this is the case.

Anonymous disclosures are accepted but discouraged due to the difficulty of robustly investigating complaints and providing feedback on outcomes.

In the first instance, disclosures should be made to the Designated Safeguarding Lead. Where this would be inappropriate, a disclosure can be made to a member of senior staff or a trustee (all contactable via trustees@tutorthenation.org).

Advice can also be sought from the NSPCC Whistleblowing Advice Line on 0800 028 0285 for concerns regarding safeguarding, or Protect's advice line on 020 3117 2520 for all other concerns. Further information can also be found on the Charity Commission's website.

Investigating a concern

Concerns will be investigated promptly by the individual that received the disclosure, with assistance from other members of staff or trustees if necessary and appropriate.

In the first instance, it will usually be appropriate for a meeting to be organised between a member of senior staff and the individual that made the disclosure. Such a meeting will take place within one week of the disclosure being made.

Matters raised via the *Whistleblowing procedure* may be addressed via a number of different routes. If action is taken, it will either be under Tutor The Nation's own policies relating to Safeguarding or its disciplinary policies. It may also be appropriate for Tutor The Nation to refer itself to the Charity Commission, the police, or to launch an independent enquiry.

Any decisions and actions taken will be promptly communicated to the individual that raised the initial disclosure.

Escalating a concern

If an individual is dissatisfied with Tutor The Nation's response to their disclosure, or they feel that raising their concern with Tutor The Nation directly is inappropriate, then it is possible for a disclosure to be made directly with an external body.

The most appropriate body for such a disclosure to be made to include, but are not limited to:

- The Charity Commission
- HM Revenue & Customs
- The Health and Safety Executive
- The Financial Services Authority
- Fundraising Regulator

Protecting whistleblowers

Whistleblowers are afforded certain protections under the *Public Interest Disclosure Act 1998*. If an individual has in good faith a reasonable belief that there has been:

- A criminal offence

- A miscarriage of justice
- An act creating risk to health and safety
- An act causing damage to the environment
- A breach of any other legal obligation
- Concealment of any of the above

Then they have the right not to be dismissed, subject to any other detriment, or victimised. This remains the case even where an individual is genuinely mistaken.

Volunteers are not afforded the same protections legally, however Tutor The Nation will endeavour to treat disclosures made by volunteers in the same way as staff disclosures.

Malicious Disclosures

Malicious disclosures will be handled using the relevant disciplinary procedures.

In the event of questions or concerns

In the first instance, all questions and concerns about this statement, or Tutor The Nation's other safeguarding policies and procedures, should be raised with the charity's Designated Safeguarding Lead, Ros Llewelyn, via email to safeguarding@tutorthenation.org.

Further questions concerning safeguarding and child protection should be directed to the NSPCC's Child Protection Helpline - 0808 800 5000.

This policy was last reviewed on 9th August 2022.

This policy will next be due for review on 9th August 2023.

Approved By: Jacob Kelly, Executive Officer

Signature:

