



Whistleblowing Policy

Acorns2Oaks Ltd (A2O) is committed to the highest possible standards of openness, probity, transparency, and accountability.

In line with that commitment, we expect employees, volunteers, and others that we deal with, who have serious concerns about any aspect of the charity's work to come forward and voice those concerns.

It is recognised that most cases will have to proceed on a confidential basis.

This policy:

- is in addition to the A2O complaints policy.
- applies to all staff, volunteers, and service users of A2O (Staff are responsible for making volunteers and service users aware of the existence of this policy).
- is designed to enable employees of A2O to raise concerns internally and at a high level and to disclose information which the individual believes shows malpractice or impropriety, and makes it clear that they can do so without fear of victimisation, subsequent discrimination, or disadvantage
- is designed to offer protection to those employees and volunteers of A2O Organisation who disclose such concerns provided the disclosure is made (a) in good faith, and (b) in the reasonable belief of the individual making the disclosure that it tends to show malpractice or impropriety and if they make the disclosure to an appropriate person. It is important to note that no protection from internal disciplinary procedures is offered to those who choose not to use the procedure.

Scope of Concern

This policy is intended to cover concerns including financial malpractice, impropriety or fraud; failure to comply with legal obligations or statutes; dangers to Health & Safety or the environment; conduct which is a breach of the law; improper behaviour or unethical behaviour; attempts to conceal any of these. There are existing procedures in place to enable individuals to lodge a grievance relating to employment matters.

Monitoring Officer

The Chief Executive is the Monitoring Officer and has overall responsibility for the maintenance and operation of this policy. They will maintain a record of concerns raised and the outcome (but in a form which does not endanger confidentiality) and will report as necessary to the Board of A2O.

Confidentiality

A2O will treat all such disclosures in a confidential and sensitive manner. The identity of the individual making the allegation may be kept confidential so long as it does not hinder or frustrate any investigation. However, the investigation process may reveal the source of the information and the individual making the disclosure may need to provide a statement as part of the evidence required.

Anonymous Allegations

This policy encourages individuals to put their name to any disclosures they make. Concerns expressed anonymously are much less credible, but they may be considered at the discretion of A2O. In exercising this discretion, the factors to be considered will include the seriousness of the issues raised, the credibility of the concern and the likelihood of confirming the allegation from attributable sources.

Untrue Allegations

If an individual makes an allegation in good faith, which is not confirmed by subsequent investigation, no action will be taken against that individual. In making a disclosure the individual should exercise due care to ensure the accuracy of the information. If, however, an individual makes a frivolous, malicious or vexatious allegation, and particularly if he or she persists with making them, disciplinary action may be taken against that individual.

HOW TO RAISE A CONCERN

Concerns should be reported as follows:

| Concern regarding | To be reported to |
|---|--------------------------------------|
| Colleague | Line manager |
| Line Manager | Chief Executive (Monitoring Officer) |
| Chief Executive | Chair or Trustees |
| Student/Volunteer/Service User/Provider | Line manager and/or Chief Executive |
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- Concerns may be raised verbally or in writing. Staff who wish to make a written report should mention the background and history of the concern (giving relevant dates) and the reason for the concern.
- Staff should report the concern at the earliest opportunity so that action can be taken. Although staff are not expected to prove beyond doubt the truth of an allegation, they will need to demonstrate to the person contacted that there are reasonable grounds for concern.
- The complainant has the right to bypass the line management structure and take their complaint direct to the Chief Executive or Chair of Trustees. The Chair has the right to refer the complaint back to management if he/she feels that the management without any conflict of interest can more appropriately investigate the complaint.

Investigating procedure - The investigating officer should follow these steps:

1. Full details and clarifications of the complaint should be obtained.
2. In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take.
3. Within 10 days, acknowledge to the complainant that the complaint has been received; indicate how it is proposed to deal with the matter and inform them whether further investigations will take place and if not, why not.
4. Inform the member of staff against whom the complaint is made as soon as is practically possible. The member of staff will be informed of their right to be accompanied by a trade union

or other representative at any future interview or hearing held under the provision of these procedures.

5. If there is evidence of criminal activity, then the investigating officer should inform the police. A2O will ensure that any internal investigation does not hinder a formal police investigation.
6. Consider the involvement of the auditors and the Police at this stage and you should consult with the Chief Executive or Chair of the Board of Trustees
7. The allegations should be fully investigated by the investigating officer with the assistance where appropriate, of other individuals / bodies.
8. A judgement concerning the complaint and validity of the complaint will be made by the investigating officer. This judgement will be detailed in a written report containing the findings of the investigations and reasons for the judgement. The report will be passed to the Chief Executive or Chair of the Board of Trustees as appropriate.
9. The Chief Executive or Chair of the Board of Trustees will decide what action to take. If the complaint is shown to be justified, then they will invoke the disciplinary or other appropriate A2O procedures.
10. The complainant should be kept informed of the progress of the investigations and, if appropriate, of the final outcome.
11. If appropriate, a copy of the outcomes will be passed to the A2O auditors to enable a review of the procedures.
12. If the complainant is not satisfied that their concern is being properly dealt with by the investigating officer, they have the right to raise it in confidence with the Chief Executive or Chair of the Board of Trustees.
13. If the investigation finds the allegations unsubstantiated and all internal procedures have been exhausted, but the complainant is not satisfied with the outcome of the investigation, A2O recognises the lawful rights of employees and ex-employees to make disclosures to prescribed persons (such as the Health and Safety Executive, the Audit Commission, or the utility regulators), or, where justified, elsewhere.

Timescales

Due to the varied nature of these sorts of complaints, which may involve internal investigators and / or the police, it is not possible to lay down precise timescales for such investigations. The investigating officer should ensure that the investigations are undertaken as quickly as possible without affecting the quality and depth of those investigations. The investigating officer, should as soon as practically possible, send a written acknowledgement of the concern to the complainant and thereafter report back to them in writing the outcome of the investigation and on the action that is proposed. If the investigation is a prolonged one, the investigating officer should keep the complainant informed, in writing, as to the progress of the investigation and as to when it is likely to be concluded. All responses to the complainant should be in writing and sent to their home address.

A copy of this policy can be obtained from the Nursery Offices or downloaded via our website:

www.acorns2oaksnurseries.net/home/policies

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| Reviewed by: Beverley Noble | Signed:  | Date: Sept 2022 Review: Sept 2023 |
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