



POLICY

Speak Up (formerly Whistleblowing)

1. Introduction & Policy Statement

- 1.1 This policy is designed to ensure compliance with the **Public Interest Disclosure Act (1998)**. Citizen has a duty to ensure the safety and well-being of those who provide and use its services. Board and staff members have a contractual and, in some cases, a professional duty to report any matter they consider damaging to the organisation, to the interests of customers, or the public at large.
- 1.2 You are a whistle-blower if you report certain types of wrongdoing related to Citizen. The wrongdoing you disclose must be in the public interest and it must affect others, for example the public. Personal grievances (for example bullying, harassment, discrimination) are not covered by whistleblowing law, unless your case is in the public interest.
- 1.3 Citizen wants its employees, Board and Committee members, customers and others closely connected with our business to feel confident they can report concerns to us without fear of victimisation or reprisals and that these reports will be dealt with thoroughly, fairly and in confidence.
- 1.4 Citizen expects all Board and Committee members and employees to act with the highest levels of integrity and is committed to respecting and protecting anyone who comes forward with a disclosure in good faith.

2. Scope and purpose of Policy

- 2.1 This policy applies to all employees and Board and Committee members and applies to anyone working for us as a contractor or third-party providing services on our behalf. This policy extends to our customers and service users who although not covered by the legislation can use the protections afforded by it to raise serious concerns. Such persons may also be known as "whistle-blowers."
- 2.2 This policy should be used to report concerns of serious malpractice as defined by "qualified disclosure."

POLICY

Version: 4.0

Date: November 2022

Speak Up Policy (Whistleblowing)

Lead Officer: Gary Booth

Page 1 of 6

Approved at/by: Board September 2021

Date of review: Sept 2024

UNCONTROLLED WHEN PRINTED



- 2.3 **Qualified Disclosure** - this is when an employee shares or discloses information which they reasonably believe is in the public interest and relates to one of the following:
- A criminal offence has been committed, is being committed, or is likely to be committed.
 - A person has failed, is failing, or is likely to fail to comply with any legal obligations to which he or she is subject.
 - A miscarriage of justice has occurred, is occurring or is likely to occur.
 - The unauthorised use of public or charitable funds.
 - The health and safety of any individual has been, is being, or is likely to be endangered.
 - The environment has been, is being, or is likely to be damaged.
 - Information tending to show any matter falling within one of the preceding paragraphs has been, is being, or is likely to be deliberately concealed.
 - The organisation is not complying with legal statutes in relation to Data Protection or money laundering.

2.4 This becomes a **protected disclosure** under the whistleblowing legislation if the disclosure is made to one of the following categories of people, the workers employer, or the person responsible for the failure, **and the whistle-blower can demonstrate that they reasonably believed that the disclosure was in the public interest by meeting the public disclosure test.**

- 2.5 The Public Disclosure Test A protected disclosure will usually concern the conduct of another person in the workplace (whether that conduct affects the complainant personally), in circumstances where the complainant genuinely believes that the conduct in question amounts to:
- a criminal offence;
 - a breach of a legal obligation, or;
 - something likely to endanger health or safety or damage the environment.

The disclosure must be a disclosure of information, which conveys facts and sufficient details to demonstrate wrongdoing(s).



3. Key Citizen Values

- 3.1 We are **Brave** – this policy sets out Citizen’s approach to ensure all its staff, Board members and contractors speak up and stand for what is right, even, when it is difficult to do so.
- 3.2 We are **Honest** – this policy sets out Citizen’s approach to ensuring an open and honest approach to how we handle incidents of serious wrongdoing.
- 3.3 We are **Ambitious** – this policy sets out the high standards we set ourselves and abide by. We strive for excellence in all we do and review our policies regularly for constant improvement.
- 3.4 We are **Citizens** – this policy sets out Citizen’s dedication to encouraging all those involved with our organisation to be best they can be and to get involved in delivering our social purpose.

4. Policy Principles

- 4.1 All concerns should be raised as soon as possible to ensure action can be taken, where appropriate, to prevent further harm or damage.
- 4.2 Staff are encouraged in the first instance to raise concerns with their line manager, head of service or director who will support them in raising the issue to an appropriate level. In some circumstances it may be necessary to bypass direct line management, for example where concerns implicate these individuals, or where there is in an urgency to report.
- 4.3 Any report that concerns a member of the Executive Leadership Team should be reported to the Audit and Risk Committee Chair.
- 4.4 Board and Committee members of members of staff also have direct right of access to report to the Audit and Risk Committee Chair.
- 4.5 All whistleblowing concerns must be reported to the Chief Financial Officer who is responsible for ensuring the appropriate investigation/actions are undertaken.
- 4.6 If a member of staff comes forward with a concern, that is not appropriate to be dealt with under one of Citizen's other policies or procedures, this will not affect their career if done in good faith even if it turns out not to be justified. Similarly, contractors or suppliers who raise a concern with us, will not be

POLICY

Version: 4.0

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Speak Up Policy (Whistleblowing)

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Page 3 of 6

Approved at/by: Board September 2021

Date of review: Sept 2024

UNCONTROLLED WHEN PRINTED



treated less favourably in any future tendering exercise if they are justified in their concern. Whistle-blowers will need to demonstrate there are reasonable grounds for their concern, however there is not a need to hold or supply any definitive proof or evidence for a disclosure to be made.

5. Reporting a concern confidentially

- 5.1 You can make a report anonymously, but Citizen may not be able to take the claim further if you have not provided all the information needed, alternatively you can give your name but request confidentiality. Citizen will do everything it can to respect confidentiality and protect your identity, unless the law compels us to disclose the identity of the whistle-blower **or** if maintaining confidentiality seriously hinders the ability to investigate the complaint. We will always consult with the whistle-blower before disclosing their identity.
- 5.2 All employees, Board members, contractors and customers can make a report anonymously through Citizens independent 'whistle line' **03332 127 008**. Reports can be made by telephone or in writing which can be in email to the Head of Human Resources and the Chief Financial Officer.
- 5.3 If you report your concerns to the media, in most cases, you will lose your whistleblowing 'law' rights.
- 5.4 If anyone is found to have abused the confidential reporting system, this will be treated as a disciplinary matter.

6. Safeguards for individuals

- 6.1 Citizen is committed to supporting individuals through their decision to report any serious/ malpractice and will not tolerate any sort of harassment or victimisation. Those who need additional support can do so through our independent and confidential Employee Assistance Programme on **0800 083 3375**.
- 6.2 Citizen has ensured that safeguards are in place to protect Whistle-blowers who make a 'protected disclosure' regarding one of the serious failings as outlined in section 2 of this policy.
- 6.3 Providing there is a genuine concern under this policy, the individual will be protected under the Public Interest Disclosure Act 1998 (PIDA) no individual

POLICY

Version: 4.0

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Speak Up Policy (Whistleblowing)

Lead Officer: Gary Booth

Page 4 of 6

Approved at/by: Board September 2021

Date of review: Sept 2024

UNCONTROLLED WHEN PRINTED



who makes a report under the procedure will be subject to any detriment in accordance with the Employment Rights Act 1996.

- 6.4 In the event that a person believes they are being subjected to a detriment by any other person within Citizen as a result of their decision to disclose, they must raise this and appropriate action will be taken to protect them from any reprisals if any person tries to discourage another employee from coming forward to express a concern or criticises or victimises them after a concern has been raised, they may be subject to formal disciplinary action. We will do everything possible to maintain confidentiality, however, there may be circumstances where the information may need to be discussed or disclosed to third parties, including other employees of Citizen, in order that the information may be properly investigated or as part of any disciplinary or criminal proceedings. Individuals qualify for whistle-blower protection provided the disclosures made have a connection to the wider public interest.
- 6.5 If an individual feels they have been victimised or suffered because of their disclosure, they should report this via the Grievance policy and procedure.

7. Role, responsibilities, and authority

- 7.1 Senior Leadership Team (SLT) and Directors are responsible for ensuring that all staff understand the importance of this policy and related procedures and comply with them. It is the responsibility of anyone receiving whistle-blower reports to advise the Chief Financial Officer and agree a course of action.
- 7.2 The effective implementation of this policy is the responsibility for Chief Financial Officer.
- 7.3 Any disclosure relating to fraud, corruption, bribery, or money laundering should be made in conjunction with the guidelines set out in the Anti-Fraud Policy, Bribery and Corruption Policy or the Anti-Money Laundering Policy.
- 7.4 Any material changes to this policy must be agreed by the Board.

POLICY

Version: 4.0

Date: November 2022

Speak Up Policy (Whistleblowing)

Lead Officer: Gary Booth

Page 5 of 6

Approved at/by: Board September 2021

Date of review: Sept 2024

UNCONTROLLED WHEN PRINTED



8. Policy Monitoring and Review

8.1 This policy will be reviewed by the Board, the Chief Financial Officer, and the Governance Team. This policy will be reviewed a minimum of every three years, unless:

8.1.1 Legislation/regulation or sector developments require otherwise, ensuring that it continues to meet its objectives and take account of good practice developments

8.1.2 We identify deficiencies or failures in this policy, because of complaints or findings from other independent organisations.

8.2 Legal advice will be taken where appropriate to ensure compliance with legal and regulatory responsibilities. We will provide relevant training, capacity building and support across all levels of the organisation (including staff and Board members.) The level of training received will be considered in proportion to the role within the organisation, clients they work with and risk they are potentially dealing with. This training will be delivered through eLearning.

9. Equality Analysis

9.1 This policy reflects Citizen's values, and as such, our staff and others covered by the scope of this policy are committed to not discriminate against any individual or groups and will respect the diversity of the staff, customers, and communities we work with. We will adhere to our statutory obligations set out in the Equality Act 2010.

10. Version Control

VERSION	DATE	AMENDMENTS	APPROVED AT/BY	REVIEW
V 2.0	05 Jul 2019	Procedure in new Citizen brand format	Abbie Kilcline	Aug 2021
V 3.0	27 Sept 2021	Policy review	Board	Sept 2024
V 4.0	30 Nov. 2022	Policy review as a result of feedback to ensure clarity on reporting	CFO	Sept 2024

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Page 6 of 6

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