

WHISTLEBLOWING POLICY

Summary

Greener Ealing strives to achieve exemplary standards of service and ethical behaviour in all its activities, consequently, we encourage employees to pass on information concerning any wrongdoing (or suspected wrongdoing). This includes any instances of misconduct, suspected misconduct, malpractice or illegal acts by employees or members of the public relating to services they receive from Greener Ealing. To be covered by whistleblowing law, an employee who makes a disclosure must reasonably believe that they are acting in the public interest. We have developed our whistleblowing policy so employees know what to do if they have any concerns and Directors are clear about their responsibilities relating to any allegations or suspicions raised.

‘Employees’ - For the purpose of this policy, the term ‘employees’ includes all employees, staff seconded to Greener Ealing from the London Borough of Ealing (“the Council”), directors, agency staff, consultants, volunteers and trainees and contractors.

Employees who make a disclosure reasonably believing in the public interest that:

- (a) a criminal offence has been committed, is being committed or is likely to be committed,
- (b) acts that have been committed could damage the organisation’s reputation,
- (c) a person has failed, is failing or is likely to fail to comply with any legal obligation to which they are subject,
- (c) a miscarriage of justice has occurred, is occurring or is likely to occur,
- (d) the health or safety of any individual has been, is being or is likely to be endangered,
- (e) the environment has been, is being or is likely to be harmed, or
- (f) information tending to show any matter falling within any one of the preceding paragraphs has been, or is being deliberately concealed

are protected by law under the Public Interest Disclosure Act 1998 from any detriment and/or victimisation for raising their concerns.

Employees of Greener Ealing’s partners and contractors are also encouraged to follow these procedures in the course of their business with Greener Ealing and to raise any concerns with the relevant managers. Any such partners and contractors will also be asked to publicise this procedure to their employees.

Our Standard

This policy should be referred to when employees have concerns that the interests of Greener Ealing or related individuals are at risk due to (and this is not an exhaustive list):

- Criminal and other activities, suspected or ongoing, which may break the law
- Disregard for Greener Ealing's rules, policies and procedures
- Acts which may endanger anyone's health and safety.

Any employee who raises a concern, and the Director who investigates it, will suffer no detriment as a result. Greener Ealing will not tolerate harassment, victimisation or other ill treatment of a whistleblower and will treat this as a serious disciplinary offence to be dealt with under appropriate disciplinary procedures (including, where appropriate the Council's disciplinary procedures). If you believe that you have suffered ill treatment, please inform a Director immediately and if the matter is not resolved it should be escalated using our grievance procedure.

Employees must not threaten, intimidate or retaliate against whistleblowers in any way. Anyone who behaves in this way will be subject to disciplinary action. Employees should be aware that in certain circumstances the whistleblower could have the right to sue them personally for compensation in an employment tribunal.

- An employee can raise concerns verbally or, preferably, in writing.
- Any concerns will be dealt with promptly.
- Concerns should be raised with the Managing Director (Greener Ealing): or the Council's Director of Legal and Democratic Services.
- Frivolous or malicious complaints that are known to be without substance may result in formal disciplinary action

This policy does not preclude employees from raising their concerns with relevant bodies (such as the Health and Safety Executive or the police) outside the organisation but is intended to resolve any concerns swiftly.

Managing Director's Responsibilities

The Managing Director must:

- escalate any concerns raised to the Council's shareholder representative where

there is potentially a wider impact on the Company or the Council's reputation;

- act promptly and fairly on any concerns raised;
- make sure that this policy is the most relevant to consider the employee's concerns rather than a grievance, disciplinary or other procedure;
- support and help the employee to pursue their concerns;
- maintain confidentiality throughout the process;
- as far as possible, withhold the identity of the employee who has raised the concerns, if the employee has so requested. (In some situations directors may be obliged to disclose the name of the employee who has raised concerns, in which case this should be discussed with the employee first);
- keep the employee informed of progress in investigating and resolving their concerns;
- advise the employee that they have the right to bring a trade union representative or a colleague to any meetings under this policy;
- implement any actions/recommendations arising from the investigation into the employee's concerns;
- not allow the employee to suffer any harm as a result of raising their concerns; and
- investigate anonymous complaints as far as reasonably practicable.

Employee's Responsibilities

Employees should:

- raise concerns (verbally or in writing) in confidence with the Managing Director (or to the Council's Director of Legal and Democratic Services, if it is inappropriate to raise the concerns with a Director) as soon as possible.
- never carry out their own investigation;
- help with any investigation into their concerns, including attendance at meetings, replying to requests for information, and providing signed statements as appropriate;
- immediately pass on any evidence to the investigating person;
- follow the published whistleblowing procedures (below);
- act honestly and in good faith when raising and pursuing concerns through this policy; and
- advise the investigating person if they have a personal interest (in addition to any perceived public interest) in the matters under investigation.

Employees are encouraged to raise whistleblowing concerns via this policy rather than going straight to external bodies. Reporting concerns to the press or on social

media, for example, may seriously undermine any investigation into the issues of concern. Further advice can be obtained from the Company Secretary.

Procedure for raising concerns

Step 1

1. The employee may raise their complaint, detailing the issues of concern, verbally but preferably in writing to:
 - the Managing Director; or
 - to the Chair of the Board;

or if the employee wishes to raise the matter outside of the GEL management structures:

- to the Council's Director of Legal and Democratic Services.

The person selected above will become the investigating person for the purposes of the procedure.

2. The investigating person will confirm that the employee's concerns fall within the scope of this procedure and, if not, are referred under the right procedure.
3. The investigating person will meet the employee urgently and gather as much information as possible.
4. The investigating person will assess what action is necessary to investigate and respond to the employee's concerns. They will undertake to write to the employee within five days of the meeting summarising the employee's concerns and advising them of the proposed course of action. This will include the timescale within which the investigation will be completed.
5. When considering the action needed to investigate and address the employee's concerns, the investigating person may seek advice and direction from appropriate people within the organisation who will usually be the Company Secretary and/or an external advisor. The employee will be informed in writing of the outcome of the investigation.
6. We hope that this policy will enable employees to feel able to voice whistleblowing concerns openly. However, should an employee wish to raise

their concern in confidence, we will make every effort to conceal their identity. If it is necessary for anyone investigating a concern to know the identity of the employee concerned, we will discuss this with them first

Step 2

1. The employee may proceed to step 2 and refer their concerns directly to the Council's Director of Legal and Democratic Services. (or if the Council's Director of Legal and Democratic Services. has been involved in step 1, then Council's Head of Internal Audit who has not been involved) if they:
 - remain dissatisfied with the response in step 1; or
 - have not received a response to their concerns within the specified timescales set out in step 1.

2. The Council's Director of Legal and Democratic Services / Council's Head of Internal Audit will take appropriate action such as:
 - Reviewing the investigation;
 - Assuming responsibility for an investigation in progress;
 - Initiating an investigation

3. The Council's Director of Legal and Democratic Services / Council's Head of Internal Audit will advise the employee in writing about action taken to progress the investigation with anticipated timescales and/or their decision relating to any further information supplied by the employee.

Step 3

Anonymous disclosures

Greener Ealing does not encourage employees to make disclosures anonymously as without the opportunity to obtain further information proper investigation is more difficult or even impossible. It is also more difficult to establish the credibility of any allegations. Whistleblowers who are concerned about possible reprisals if their identity is revealed should approach their manager, senior manager or, in exceptional cases, the Council's Director of Legal and Democratic Services and appropriate measures can then be taken to preserve confidentiality.

If you are in any doubt you can seek advice from Protect, the independent whistleblowing charity, which offers a confidential helpline. Their contact details are:

Helpline: 020 3117 2520



Email: whistle@protect-advice.org.uk

Web: <https://protect-advice.org.uk>