

## **Moreton & Partners Limited**

### **Whistle-blowing Policy**

The Practice is committed to ensuring that all our employees have a clear understanding of the process and procedures for voicing and reporting any concerns they have without the potential of being victimised, discriminated against, or disadvantaged. Our Whistle-blowing Policy sets out the framework for dealing with allegations of illegal and improper conduct.

The Practice is committed to the highest standards of transparency, probity, integrity, and accountability. This procedure is intended to provide a means of making serious allegations about standards, conduct, financial irregularity, or possible unlawful action in a way that will ensure confidentiality and protect those making such allegations.

This procedure does not replace other policies and procedures such as the Complaints Procedure, the Harassment and Bullying Policies and other specifically laid down statutory reporting procedures.

This procedure is intended to ensure that the Practice complies with its duty under the Public Interest Disclosure Act 1998.

#### **Scope**

This policy applies to all Practice employees, including associates and sub consultants. If an employee has a concern about the conduct of a fellow employee in the working environment (e.g. that they are not treating colleagues with respect) they should raise these with their line manager or the Practice Manager.

This procedure applies to, but is not limited to, allegations about any of the following:

- Conduct which is an offence or breach of the law
- Alleged miscarriage of justice
- Serious Health and Safety risks
- The unauthorised use of public funds
- Possible fraud and corruption
- Sexual, physical or verbal abuse, or bullying or intimidation of employees, clients or service users
- Abuse of authority
- Other unethical conduct

#### **Reporting**

The Practice recognises that the decision to make an allegation can be a difficult one to make. However, whistle-blowers who make serious allegations in the reasonable belief that it is in the public interest to do so have nothing to fear because they are doing their duty either to the Practice and/or to those for whom the Practice or they are providing a service.

The Practice will take appropriate action to protect a whistle-blower who makes a serious allegation in the reasonable belief that it is in the public interest to do so from any reprisals, harassment or victimisation.

### **Confidentiality**

All allegations will be treated in confidence and every effort will be made not to reveal a whistle-blower's identity, unless the matter is subsequently dealt with through other Practice procedures such as the Disciplinary Procedure.

Similarly, if the allegation results in court proceedings, then the whistle-blower may have to give evidence in open court if the case is to be successful.

The Practice will not, without the whistle-blower's knowledge or consent, disclose their identity to anyone other than a person involved in the investigation/allegation.

### **Anonymous Allegations**

This policy encourages whistle-blowers to put their name to an allegation wherever possible as anonymous allegations may often be difficult to substantiate/prove. Allegations made anonymously are much less powerful but anonymous allegations will be considered at the discretion of the Senior Management Team (SMT). In exercising discretion to accept an anonymous allegation the factors to be considered:

- The seriousness of the issue raised
- The credibility of the allegation; and
- Whether the allegation can realistically be investigated from factors or sources other than the complainant

### **Untrue Allegations**

No disciplinary or other action will be taken against a whistle-blower who makes an allegation in the reasonable belief that it is in the public interest to do so even if the allegation is not substantiated by an investigation. However, disciplinary action may be taken against a whistle-blower who makes an allegation without reasonable belief that it is in the public interest to do so (e.g. making an allegation frivolously, maliciously or for personal gain where there is no element of public interest).

### **Procedure for Making an Allegation**

It is preferable for allegations to be made to an employee's immediate manager to whom they report. However, this may depend on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. For example, if the whistle-blower believes that the manager is involved it would be inappropriate to raise it directly with them. The whistle-blower may then make an allegation direct to any of the following:

- Another member of the SMT
- Practice Manager alone

If either of the above receive an allegation he/she will consider the allegation and may discuss with the manager. The line manager (or either/or both) of the above, after consideration, will discuss with the whistle-blower and if they wish to proceed with the allegation will be investigated.

## **Allegation**

Whether a written or verbal report is made it is important that relevant information is provided including:

- The name of the person making the allegation and a contact point.
- The background and history of the allegation (giving relevant dates and names and positions of those who may be in a position to have contributed to the allegation);
- The specific reason for the allegation. Although someone making an allegation will not be expected to prove the truth of any allegations, they will need to provide information to the person they have reported to, to establish that there are reasonable grounds for the allegation.

The person making an allegation may be accompanied by another party of their choosing during any meetings or interviews in connection with the allegation. However, if the matter is subsequently dealt with through another procedure the right to be accompanied will at that stage be in accordance with the relevant procedure.

### **Action on receipt of an Allegation**

The line manager will record details of the allegation gathering as much information as possible, (within five working days of receipt of the allegation) including:

- The record of the allegation
- The acknowledgement of the allegation
- Any documents supplied by the whistle-blower

The person investigating will ask the whistle-blower for their preferred means of communication and contact details and use these for all communications to preserve confidentiality.

If the allegation relates to fraud, potential fraud, or other financial irregularity, the Practice Manager will be informed within five working days of receipt of the allegation. The Practice Manager will determine whether the allegation should be investigated and the method of investigation.

If the allegation discloses evidence of a criminal offence, it will immediately be reported to the Senior Management Team to ensure the relevant authority is contacted. If the allegation concerns suspected harm to children or venerable individuals the appropriate authorities would be informed immediately.

#### **Timetable**

- An acknowledge the allegation in writing within ten working days with
  - An indication of how the Practice propose to deal with the matter
  - An estimate of how long it will take to provide a final response
  - An indication of whether any initial enquiries have been made
  - Information on whistle-blower support mechanisms
  - Indication whether further investigations will take place and if not, why not

Where the allegation has been made internally and anonymously, the Practice will be unable to communicate what action has been taken.

## **Support**

The Practice will take steps to minimise any difficulties which may be experienced as a result of the allegation. For instance, if a whistle-blower is required to give evidence in criminal or disciplinary proceedings the Practice will arrange for them to receive advice about the procedure and advise on the support mechanisms that are available.

The Practice accepts that whistle-blowers need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, we will inform those making allegations of the outcome of any investigation.

### **Responsibility for the Procedure**

The SMT have overall responsibility for the operation of this Procedure and for determining the administrative processes to be followed and the format of the records to be kept.

### **Monitoring**

A register will record the following details:

- The name and status (e.g. employee) of the whistle-blower
- The date on which the allegation was received
- The nature of the allegation
- Details of the person who received the allegation
- Whether the allegation is to be investigated and by whom
- The outcome of the investigation
- Any other relevant details

The register will be strictly confidential and only available to the SMT.

The Practice Manager will report annually to the SMT on the operation of the Procedure and on any whistle-blowing allegations made during the period covered by the report, the details of which will be redacted if necessary.

### **Monitoring and review**

We will monitor the effectiveness and review the implementation of this policy, regularly considering its suitability, adequacy, and effectiveness. Any improvements identified will be made as soon as possible. The Practice may request any associated party to confirm compliance with this policy on an annual basis.

### **Questions**

If have any other queries relating to this policy, please feel free to discuss with your Line Manager, Practice Manager, or the Director in Charge.

Director in Charge .....Matthew Moreton

Practice Manager .....Marie Moreton

Date: 12<sup>th</sup> April 2024