



SP-UK

SUICIDE PREVENTION UK

Suicide Prevention UK

Whistleblowing Policy

2024

Introduction and Purpose

Suicide Prevention UK is committed to the highest standards of openness, probity, and accountability.

An important aspect of accountability and transparency is a mechanism to enable staff to voice concerns in a responsible and effective manner.

Therefore, where a staff member discovers information which they believe shows serious malpractice or wrongdoing within the organisation, this information should immediately be disclosed without fear of reprisal.

'Whistleblowing' (otherwise known as Making a Disclosure in the Public Interest) is the term given to action taken under the Public Interest Disclosure Act 1988 (PIDA) and Employment Rights Act 1996.

This Act protects workers when raising serious concerns under certain circumstances.

This policy outlines whistleblowing, explains the legal protection afforded under the Act, and documents the procedure for raising such concerns.

Scope

This policy applies to all employees.

Though volunteers (including trustees) lack a traditional contract of employment, they are a vital part of our workforce and a key part of an effective whistleblowing system. Whilst the Act does not protect volunteers, we nevertheless ask that our volunteers report wrongdoing in accordance with our procedure or report it directly to the Charity Commission.

It should be emphasised that this policy is intended to assist staff who believe they have discovered wrongdoing and should not be used to question legitimate Charity decisions, nor should it be used to raise a grievance or reconsider any matters already addressed under another policy.

Definitions

PIDA – The Public Interest Disclosure Act 1988 (the Act) protects workers from detrimental treatment or victimisation from their employer if, in the public interest, they blow the whistle on wrongdoing.

Whistleblowing (or blowing the whistle) occurs when a worker raises a concern about wrongdoing within an organisation.

Concerns may relate to historical, current, or possible future wrongdoing but must be '**qualified disclosures**', meaning that they are in the public interest.

Under the Act, **Qualifying Disclosures** are:

- A criminal offence
- The breach of a legal obligation
- A miscarriage of justice
- A danger to the health and safety of any individual
- Damage to the environment
- A deliberate attempt to conceal any of the above.

Please note: Bullying and harassment are not qualified unless the case is in the public interest.

A **whistleblower** is an individual who raises a whistleblowing concern.

Policy

Legal Protection for Whistleblowers

Whistleblowers who are workers¹ are protected by law and should not be mistreated or lose their jobs nor suffer any form of retribution, victimisation, or detriment due to their actions when making a qualifying disclosure.

It is important to note that as long as staff have raised a concern in good faith, they will not be subject to disciplinary action or other sanctions, even if the investigation finds the allegations unproven. In this sense, raising a concern in 'good faith' means reasonably believing that the allegation is true.

However, where allegations are made that are knowingly untrue and/or made for personal gain, we may seek to take disciplinary and/or legal action against the perpetrator.

Limits to Protection Under PIDA

It is important to note that disclosure will not be protected under PIDA where an individual is committing an offence by making that disclosure, for example, by breaching the Official Secrets Act or Section 59 of the Data Protection Act.

Confidentiality

Whilst we accept anonymous whistleblowing concerns, staff should be aware that it is not always possible for us to fully investigate a concern without a detailed account and/or the option to seek further information. It is, therefore, advisable for whistleblowers to reveal their identities.

Where a whistleblower wishes to make a claim confidentially, we will do our utmost to respect their request. However, we are unable to absolutely guarantee confidentiality. If we are in a position where we cannot maintain confidentiality and so have to make disclosures, we will discuss the matter with the whistleblower first.

In any investigation, the whistleblower, anyone interviewed and/or involved in the investigation, and their companions will be expected to keep the information they are given access to and the identities of those involved confidential.

It should also be noted that individuals reporting concerns to the media will, in most cases, lose their right to anonymity.

¹ Workers includes employees, trainees, and agency workers and does not generally include staff who are genuinely self-employed, trustees, volunteers, non-executives directors etc.

Procedures

Raising a Concern

If you are concerned about any form of malpractice or wrongdoing, you should, in the first instance, raise the matter with a trustee.

Concerns should be presented as a letter of concern, which may be anonymous or include a name and request to remain anonymous.

The letter of concern should consist of the following:

- The background and history of any concerns; and
- Names, dates, and places (where possible); and
- The reasons why you are particularly concerned about the matter.

Please note that you do not need proof at this stage but may attach any evidence you do have to your letter of concern if doing so will not jeopardise any investigation.

Raising the Matter Externally

In exceptional circumstances only and where you feel that you cannot make a disclosure to any of the trustees, you may, by law:

- Contact Protect (<https://protect-advice.org.uk/>) for free and impartial advice.
- Inform an official (prescribed) person or body who has responsibility for your concerns. A list of these persons and bodies can be found [here](#). Our prescribed body is the Charity Commission.
- Seek legal advice.

Managing Concerns

After you have raised your concern, the trustee will usually make internal enquiries to determine whether the concern is believed to be credible. This may involve meeting with you to confirm receipt of your concern and gather as much detail as possible.

In certain situations, for example, where the concern is particularly serious, the trustee will also inform the Board so as to ensure that the matter is investigated by the most appropriate person from the outset.

Where there are reasonable grounds to suspect that wrongdoing has occurred, a formal investigation will be undertaken.

Please note that the investigator will be impartial, not implicated in the wrongdoing and will possess the time, knowledge, and skills to undertake the task.

Formal Investigating Procedure

The investigator will:

- Arrange to meet with the whistleblower and any witnesses.
- Seek to gather evidence from the relevant sources.
- Determine, based on all available evidence, whether the concern is valid.
- Prepare a written report containing the findings of the investigation for the Board of Trustees.
- Wherever possible, keep the whistleblower informed of their progress and, if appropriate, of the final outcome.

Please note that where interviews are required as part of the investigatory process, staff are obliged to act with honesty and give their full cooperation.

Whilst there is no legal right to be accompanied to meetings, staff who wish to may bring a companion for support to any formal meeting.

Where criminal activity is suspected, the Police or relevant authorities will be informed in a timely manner. In such cases, SPUK will ensure that any internal investigation does not hinder a formal police investigation.

Conclusions

Following the investigation, the Board of Trustees will decide what, if any, action should be taken.

Where it is the conclusion of the Board of Trustees that the Charity has broken the law or otherwise acted improperly, they will self-report to the relevant authorities and/or governing bodies.

The action taken will be recorded in a central Whistleblowing Concerns File.

Where appropriate, a lessons learnt report will be prepared.

Staff Support

Any staff member who requires support or is subject to victimisation in relation to whistleblowing should raise the matter with a trustee, who will take appropriate action.

Non-Compliance

Victimisation of a whistleblower, concealing evidence, or making malicious/vexatious claims for personal gain will be taken seriously and may lead to disciplinary action or termination of working/volunteering arrangements.

Where appropriate, we will involve the Police or other law enforcement agencies concerning breaches of this policy.

Monitoring and Reviewing

Suicide Prevention UK is committed to ensuring that our policies are effective and up-to-date. To do this, we have a process for regularly monitoring and reviewing them.

The trustees are responsible for this process and will review the policies at least once a year or more frequently if needed due to changes in laws or practices.

Suicide Prevention UK will monitor the following:

- The number and nature of any whistleblowing concerns raised.
- Disciplinary actions and other sanctions that arise from whistleblowing concerns and/or breaches of this policy.
- Victimisation complaints raised in relation to this policy.
- Referrals to the authorities/governing bodies.

Where trends indicate that improvements should be made within the organisation, an action plan will be drawn up and implemented.

Policy Date: November 2020

Reviewed: April 2024

Review Date: April 2025

Dated and Signed by the Chair and Founder of Suicide Prevention UK:
