



ClwydAlyn

Whistleblowing Policy

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Version Control

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V1	Original Document. Approved by Boards and Management	T. Henderson	07/11/2016
V2	Document updated. Approved by Boards and Management	T. Henderson	26/07/2018
V3	Document updated and reformatted. Approved by Boards and Management	R. Williams	20/01/2020
V4	Updated. Approved by People Committee 17/04/2023	E. Gilbert	06/06/2023

Whistleblowing Policy

1. Introduction

1.1 Here at ClwydAlyn, we are committed to conducting our business honestly and with integrity at all times. Unfortunately, all organisations face the risk of things going wrong from time to time, or of unknowingly harbouring bad, unethical or even illegal practice.

We are committed to having a culture of openness and accountability so that we can prevent these situations occurring or to address them if they do happen.

1.2 The aims of this policy and its associated procedure are:

- ✓ To encourage and support the reporting of any perceived wrongdoing as soon as possible, in the knowledge that concerns will be taken seriously and investigated appropriately
- ✓ To provide guidance on how to raise concerns
- ✓ To provide reassurance that everyone should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken

You can access the Whistleblowing Procedure [here](#).

2. What is Whistleblowing?

2.1 ‘Whistleblowing’ is the disclosure of information relating to suspected wrongdoing, danger, fraud, failure to comply with health and safety requirements or other illegal or unethical conduct within the business.

2.2 Any concerns disclosed under this policy should be in the public interest. This means that you should believe that your concern affects the rights, health, or finances of the public at large. If you are an employee and the matter is more of an individual or personal nature, you should raise your concerns using the company’s Guidance on Supporting to Resolve Conflict. If the matter relates to a vulnerable person you should also refer to our Safeguarding Policy for Adults and Children. If you are a Resident, you may also want to refer to the Compliments and Complaints Guidance on our Website.

2.3 We recognise that disclosures made under this policy may involve highly confidential and sensitive matters and that you may prefer to make an anonymous disclosure. However, we regret that we cannot guarantee to fully investigate all anonymous allegations. Proper investigation may prove impossible if the investigator can't obtain further information from you, give you feedback, or ascertain whether your disclosure was made in the public interest. We encourage anyone wanting to raise a concern to reveal their identity and measures can be taken to preserve confidentiality if appropriate (see section 5.0).



2.4 You should raise your concern at any time about an incident that happened in the past, is happening now or that you will believe will as a result of any of the points covered in 2.1 .

2.5 As a Whistle-blower, there are protections in place. No-one raising a concern under this policy will be treated unfairly or be at any detriment for doing so – see Section 6.

3. Who does this policy apply to?

3.1 This policy applies to everyone who carries out work for ClwydAlyn including;

- ✓ All employees, including zero-hour/bank staff and casual workers
- ✓ Contractors and sub-contractors
- ✓ Agency staff
- ✓ Consultants
- ✓ Work experience students and volunteers
- ✓ Board and Committee Members
- ✓ Residents and those applying for roles with Clwyd Alyn may raise concerns under this policy



3.2 This policy does not form part of any employee's contract of employment and it may be amended at any time.

4. What does this policy cover?

4.1 You should make a disclosure under this policy if you have genuine concerns relating to any of the following:

- ✓ someone's health and safety is in danger
- ✓ negligence
- ✓ criminal activity
- ✓ miscarriages of justice

- ✓ failure to comply with legal, statutory or regulatory obligations (for example Welsh Government Regulations relating to Social Housing or Care Inspectorate Wales Regulations relating to the provision of care)
- ✓ practices endangering health and safety or failure to comply with legal, statutory or regulatory obligations (for example, the Health & Safety at Work Act 1974)
- ✓ any illegal or irresponsible behaviours which will damage the environment
- ✓ bribery
- ✓ financial fraud, impropriety, or mismanagement
- ✓ breach of our internal policies and procedures (including our Code of Conduct):
- ✓ conduct likely to damage our reputation
- ✓ unauthorised disclosure of confidential information
- ✓ professional malpractice
- ✓ significant relationship failures, including those between Board, Staff and the Senior Leadership or Executive Team
- ✓ any attempt to conceal any of the above

4.2 We value any reasonable and genuine concerns reported under this policy. If you are uncertain whether your concerns fall within the scope of this policy (for example, if you are suspicious but uncertain as to whether the law has been broken), we encourage you to seek advice from an Executive Director.

4.3 There is an independent body named Public Concern at Work (PCAW) from who you can take confidential advice as to how to proceed. Contact details for PCAW (Public Concern at Work Independent Whistleblowing Charity) are provided in Appendix B of the [Whistleblowing Procedure](#).

5. Confidentiality

5.1 Every effort will be made to keep the identity of an individual who makes a disclosure under this policy confidential, at least until any formal investigation is under way. There may, however, be circumstances in which, because of the nature of the investigation or disclosure, it will be necessary to disclose your identity. If we believe this is the case, we will discuss with you the reasons why disclosure is necessary.

5.2 To protect the integrity of the investigation, we ask that any individual raising a concern keeps their concerns and the identity of those involved confidential.

6. Protection and Support

6.1 No one who raises genuine concerns in the public interest under this policy will be dismissed or subjected to any detriment as a result. If you believe that you are being subjected to any detriment as a result of raising your concerns, you should inform the investigator immediately.



6.2 The Employment Rights Act 1996 and the Public Interest Disclosure Act 1998. governs the making of disclosures concerning workplace activities and is intended to protect those who blow the whistle on bad practice from being subjected to any detriment or being unfairly dismissed as a result. Public Interest Disclosure does not cover Board Members, Residents or people applying for roles with ClwydAlyn however, concerns raised by Board Members, Residents or job applicants will be treated in the same way as qualifying disclosures from staff. If you are a staff member affected by concerns related to whistleblowing, you have access to ClwydAlyn's free and confidential employee assistance programme, details of which you can find [here](#). If you feel you need any additional support, please speak with your line manager, the investigator or your People Specialist

If you are not employed by ClwydAlyn but are affected by concerns related to whistleblowing, please discuss with the investigator any support you need.

7. Reporting

Whistleblowing cases are reported to the Assurance Committee.

References

Safeguarding Policy Adults and Children ([click here](#))

ClwydAlyn Modern Slavery Statement ([click here](#))

Guidance on Supporting to Resolve Conflict ([click here](#))

Complaints Guidance ([click here](#))