

Whistleblowing Policy

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Policy Review Date	May 2027
Committee Reviewing	FRAC Committee

Introduction

1. Gwent Wildlife Trust (GWT) is committed to being open, honest and accountable. We encourage a free and open culture in our dealings between the members, Trustees, employees and volunteers. Tackling problems is vitally important to maintaining the organisations financial health and reputation and achieving its aims.

2. This policy aims to help, Trustees, employees, and volunteers to raise any serious concerns they may have about colleagues or anything taking place with confidence and without having to worry about being victimised, discriminated against or disadvantaged in any way as a result.

3. This policy is written in the context of the Public Interest Disclosure Act 1998 (the “Act”) and other legislation which protects employees and workers who ‘blow the whistle’ on malpractices within their organisation.

4. Although it was not previously thought that statutory protection under the Act extended to office holders or volunteers, in a recent judgment¹, the Supreme Court decided that judicial officers can seek the protection of whistleblowing legislation.

5. In addition, as it is considered best practice to choose to extend similar protections to volunteers, the organisation has chosen to extend the same protection to volunteers in so far as is possible and to treat all individuals making a disclosure in the spirit of the Act.

To whom does this policy apply?

6. This policy applies to everyone who works for Gwent Wildlife Trust and Trustees or volunteers in the organisation. This means employees, Trustees, volunteers or contractors.

What is Whistleblowing?

7. ‘Whistleblowing’ refers to the internal or external disclosure of malpractice and serious suspected wrongdoing as well as illegal acts, or omissions, at work. It covers, for example, how we raise funds, how we commission work or make payments and where there has been a breach of a legal, statutory or regulatory requirement or unethical behaviour.

What types of concerns are covered by this policy?

8. To use this whistleblowing policy and be legally protected under the Act, you must make a disclosure about a serious concern. This is known under the Act as a 'qualifying disclosure'. This means you have information and reasonably believe that one or more of the following matters is happening, has taken place, or is likely to happen in the future:

- a criminal offence (including fraudulent and corrupt behaviour, e.g. theft, fraud or malpractice)
- a miscarriage of justice
- an act creating risk to health and safety
- an act causing damage to the environment
- a breach of any other legal obligation, or
- concealment of any of the above

9. You do not need to have proof that such an act is being, has been, or is likely to be, committed. You do, however, need to hold a reasonable belief of such an action having been, being or likely to be carried out.

10. If you feel unable to whistleblow internally, the matter may be reported directly to the relevant regulator, such as the Charity Commission.

What concerns cannot be raised as whistleblowing under this policy?

11. This whistleblowing policy does not apply to:

- Complaints: A complaint that is an expression of your dissatisfaction which calls for a response. If you want to make a complaint you should use our complaints policy
- Safeguarding concerns: For safeguarding concerns please contact one of the people listed in the safeguarding policy
- Concerns about other organisations: If you have concerns about the behaviour of another organisation, you should raise them through that organisation, following any whistleblowing procedures it has
- Employment related concerns: This policy does not deal with any complaints employees may have about their own employment position, which should be addressed through the policies for resolving grievances, in the Employee Handbook.

How to raise a concern

12. You should raise your whistleblowing concern as soon as possible. This will make it easier to act and to enable any problems to be resolved or reported quickly.

13. You can make your disclosure orally but written disclosures are preferable as these will make the process more efficient and effective. In your disclosure, you should:

- provide any relevant context and background, including relevant dates, venues, names etc
- state clearly the reason why the situation causes for concern.

14. You must say that you are raising your concern using the whistleblowing policy and whether you wish your identity to be kept confidential. While we will make every effort to deal with your case confidentially, depending on the circumstances of the case this may not always be possible (e.g. if the police are involved). Where this is the case, you will be informed of this and the reasons why it was not possible. We prefer non-anonymous disclosures, as anonymity often makes it difficult to properly investigate concerns, protect employees or give feedback on outcomes.

15. The Chief Executive Officer is designated to handle whistleblowing concerns and is the 'Whistleblowing Officer'.

16. You should report your concern in the first instance to the CEO as 'Whistleblowing Officer'. If the matter concerns the CEO it should be raised with the Chair of Trustees. If the matter concerns the CEO and Chair of Trustees it should be raised with the Vice-Chair of Trustees.

17. If you are unsure whether to use this procedure, or you want independent advice at any stage as to the appropriate authority to contact, you should contact an independent organisation for advice such as Protect. (formerly known as "Public Concern at Work") which is an independent Whistleblowing Charity. Their contact details are as follows:

Email address whistle@protect-advice.org.uk

Tel. 0203 117 2520

Email address whistle@protect-advice.org.uk

Website www.protect-advice.org.uk

Protecting the individual raising the concern

18. If you raise a concern which you believe to be true, GWT will take appropriate action to protect you from any harassment, victimisation or bullying. Employees who raise a genuine concern under this policy will not be at risk of losing their job, nor will it influence any unrelated disciplinary action or redundancy procedures.

19. The matter will be treated confidentially but if the concern cannot be resolved without revealing your identity, the Whistleblowing Officer (or other person managing the process, where the complaint involves the Whistleblowing Officer) will discuss with you whether and how to proceed.

20. You should note that you will not be protected from the consequences of making a disclosure if, by doing so, you commit a criminal offence. You should also note that if you raise a false allegation and you are found to be culpable, or in any way involved in the wrongdoing, or if you raise a concern maliciously or in a manner not prescribed in this policy, then you may be subject to disciplinary action up to and including dismissal without notice for gross misconduct.

How will we deal with the concern?

21. How the concern will be dealt with, will depend on what it involves. It is likely that further enquiries and/or investigation will be necessary. The concern may be investigated by the Whistleblowing Officer (or other person managing the process, where the complaint involves the Whistleblowing Officer), through the disciplinary process or it may be referred to the police, Safeguarding Adviser, a regulator, other agencies, an external auditor or an independent investigator.

22. Typically, the matters raised may result in one or more of the following:

- no action required
- action being taken under another policy or procedure
- an internal investigation under this policy
- a referral to the police or other relevant statutory body
- a referral to the auditors
- a Serious Incident Report being made to the Charity Commission
- an independent enquiry.

23. It may be necessary for you to give evidence in criminal or disciplinary proceedings.

24. The Whistleblowing Officer (or other person managing the process, where the complaint involves the Whistleblowing Officer) will give you feedback on the progress and outcome of any investigation, wherever possible.

25. This policy will be reviewed every three years and updated as required