



WHISTLEBLOWING POLICY

The EFL Trust is committed to conducting business with honesty and integrity, and expect all staff to maintain high standards. However, organisations face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct. A culture of openness and accountability is essential in order to prevent such situations occurring and to address them when they do occur.

The aims of this policy is:

- a) To encourage staff to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected.
- b) To provide staff with guidance as to how to raise those concerns.
- c) To reassure staff that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.

This policy covers all employees, trustees, officers, consultants, contractors, casual workers, agency workers and volunteers.

This policy does not form part of any employee's contract of employment and we may amend it at any time.

RESPONSIBILITY FOR THE POLICY

The Remuneration Committee has overall responsibility for this policy, and for reviewing the effectiveness of actions taken in response to concerns raised under this policy.

The Business Manager has day-to-day operational responsibility for this policy, and must ensure that all Trust managers and other staff who may deal with concerns or investigations under this policy receive regular and appropriate training.

All staff are responsible for the success of this policy and should ensure that they use it to disclose any suspected danger or wrongdoing. Staff are invited to comment on this policy and suggest ways in which it might be improved.

WHAT IS WHISTLEBLOWING?

Whistleblowing is the disclosure of information which relates to suspected wrongdoing or danger at work.

When disclosing a concern, the whistleblower must reasonably believe that;

- a) The disclosure is in the public interest; and
- b) The disclosure may fall under one or more of the following headings of malpractice:

This may include and is not limited to:



- Criminal activity;
- Failure to comply with any legal or professional obligation or regulatory requirements;
- Miscarriages of justice;
- A bullying culture or acts of discrimination across a whole team rather than an individual circumstance.
- Danger to health and safety;
- Damage to the environment;
- Bribery under our Anti-corruption and Bribery Policy;
- Financial fraud or mismanagement;
- Conduct likely to damage our reputation or financial wellbeing;
- An individual covering up wrong-doing;
- Unauthorised disclosure of confidential information;
- Negligence;
- Deliberate concealment of any of the above matters.

A **Whistleblower** is a person who raises a genuine concern relating to any of the above. If you have any genuine concerns related to suspected wrongdoing or danger affecting any of our activities (a **whistleblowing concern**) you should report it under this policy.

This policy should not be used for complaints relating to your own personal circumstances, such as the way you have been treated at work. In those cases you should use the Grievance Procedure or Dignity at Work Policy as appropriate.

If you are uncertain whether something is within the scope of this policy you should seek advice from the Business Manager, whose contact details are at the end of this policy.

RAISING A WHISTLEBLOWING CONCERN

In many cases you will be able to raise any concerns with your line manager and / or Head of Department. You may tell them in person or put the matter in writing if you prefer. They may be able to agree a way of resolving your concern quickly and effectively. In some cases they may refer the matter to the Department Director.

However, where the matter is more serious, or you feel that your line manager and / or Departmental Director has not addressed your concern, or you prefer not to raise it with them for any reason, you should contact one of the following:

- a) Business Manager - Jules Riley.
- b) Chief Executive Officer, – Mike Evans

Contact details are set out at the end of this policy.

A meeting will be arranged with you as soon as possible to discuss your concern. You may bring a colleague or union representative to any meeting under this policy. Your companion must respect the confidentiality of your disclosure and any subsequent investigation.



We will take down a written summary of your concern and provide you with a copy after the meeting. We will also aim to give you an indication of how we propose to deal with the matter.

CONFIDENTIALITY

If you want to raise your concern confidentially, we will make every effort to keep your identity secret. If it is necessary for anyone investigating your concern to know your identity, we will discuss this with you.

We do not encourage staff to make disclosures anonymously. Proper investigation may be more difficult or impossible if we cannot obtain further information from you. It is also more difficult to establish whether any allegations are credible. Whistleblowers who are concerned about possible reprisals if their identity is revealed should come forward to the Business Manager, or one of the other contact points listed and appropriate measures can then be taken to preserve confidentiality. If you are in any doubt you can seek advice from Public Concern at Work, the independent whistleblowing charity, who offer a confidential helpline. Their contact details are at the end of this policy.

INVESTIGATION AND OUTCOME

Once you have raised a concern, we will carry out an initial assessment to determine the scope of any investigation. Whistleblowers should not attempt to investigate concerns themselves. We will inform you of the outcome of our assessment. You may be required to attend additional meetings in order to provide further information.

In some cases we may appoint an investigator or team of investigators including staff with relevant experience of investigations or specialist knowledge of the subject matter. The investigator(s) may make recommendations for change to enable us to minimise the risk of future wrongdoing.

We will aim to keep you informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent us giving you specific details of the investigation or any disciplinary action taken as a result. You should treat any information about the investigation as confidential.

If we conclude that a whistleblower has made false allegations maliciously or with a view to personal gain, the whistleblower will be subject to disciplinary action.

IF YOU ARE NOT SATISFIED

While we cannot always guarantee the outcome you are seeking, we will try to deal with your concern fairly and in an appropriate way. By using this policy you can help us to achieve this.

If you are not happy with the way in which your concern has been handled, you can raise it with one of the other key contacts at the end of this document.



EXTERNAL DISCLOSURES

The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases you should not find it necessary to alert anyone externally.

The law recognises that in some circumstances it may be appropriate for you to report your concerns to an external body such as a regulator. It will very rarely if ever be appropriate to alert the media. We strongly encourage you to seek advice before reporting a concern to anyone external. The independent whistleblowing charity, Public Concern at Work, operates a confidential helpline. They also have a list of prescribed regulators for reporting certain types of concern. Their contact details are at the end of this policy.

Whistleblowing concerns usually relate to the conduct of our staff, but they may sometimes relate to the actions of a third party, such as a contractor, sponsor supplier or service provider. In some circumstances the law will protect you if you raise the matter with the third party directly. However, we encourage you to report such concerns internally first. You should contact your the other individuals set out above for guidance.

Charity Specific Concerns

If you wish to report an issue in relation to the **EFL Trust** you can also raise your concern directly to the Charity Commission, follow this link for further information.

<https://www.gov.uk/guidance/report-serious-wrongdoing-at-a-charity-as-a-worker-or-volunteer>

Where your concern is in relation to the NCS programme you can report directly to the NCS Trust for further information follow the link:

<https://www.ncsyas.co.uk/whistleblowing>

PROTECTION AND SUPPORT FOR WHISTLEBLOWERS

Whistleblowers will not suffer any detrimental treatment as a result of raising a concern. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If you believe that you have suffered any such treatment, you should inform the Business Manager immediately. If the matter is not remedied you should raise it formally using the Grievance Procedure.

You must not threaten or retaliate against whistleblowers in any way. If you are involved in such conduct you may be subject to disciplinary action. In some cases the whistleblower could have a right to sue you personally for compensation in an employment tribunal.



CONTACTS

EFL Trust Business Manager	Jules Riley 01772 325838 jriley@efltrust.com
EFL Trust Chief Executive Officer	Mike Evans mevans@efltrust.com 01772 325800
Chair of the Remuneration Committee	John Nixon c/o sfazackerley@efltrust.com <i>Please clearly identify “whistleblowing” in your communication and mark as private & confidential.</i>
Public Concern at Work	https://www.pcaw.org.uk/ 020 3117 2520
Confidential Westfield Health Counselling Hotline	Westfield Foresight Plan Helpline: 0800 092 0987 Scheme Number: 71718
Public Concern at Work (Independent whistleblowing charity)	Helpline: (020) 7404 6609 E-mail: whistle@pcaw.co.uk Website: www.pcaw.co.uk
Charities Commission	https://www.gov.uk/guidance/report-serious-wrongdoing-at-a-charity-as-a-worker-or-volunteer