



Hackney Play Association  
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## **Whistleblowing policy**

Hackney Play Association is committed to being open, honest, and accountable. It encourages a free and open culture in its dealings between the Board of Trustees and workers.

This policy aims to help Board members and staff to raise any serious concerns they may have about colleagues or their employer with confidence and without having to worry about being victimised, discriminated against, or disadvantaged in any way as a result.

It is written in the context of the Public Interest Disclosure Act 1998 and other legislation which protects employees who 'blow the whistle' on malpractices within their organisation. The protection applies to all employees, trainees, casual workers, agency workers and contractors but not to the self-employed or volunteers. Self-employed staff or volunteers should raise any concerns through the Complaints Procedure.

Service users should make complaints or raise concerns through the Complaints Procedure.

### **Complaints that count as whistleblowing**

The policy is intended to deal with serious or sensitive concerns about wrongdoings such as the following:

- a criminal offence, e.g., fraud
- someone's health and safety are in danger
- risk or actual damage to the environment
- a miscarriage of justice
- the company is breaking the law, e.g., doesn't have the right insurance
- you believe someone is covering up wrongdoing

### **Complaints that don't count as whistleblowing**

Personal grievances (e.g., bullying, harassment, discrimination) aren't covered by whistleblowing law, unless your case is in the public interest.

Report these under Hackney Play Association's Grievance Procedure or Bullying and Harassment Policy.

It is not necessary for individuals who raise the concern to prove the wrongdoing that is alleged to have occurred or is likely to occur, but they must believe it is in the public interest to raise their concern(s).

However, if an individual knowingly or maliciously makes an untrue allegation (e.g. in order to cause disruption to Hackney Play Association), Hackney Play Association will take appropriate disciplinary action against them. It may constitute gross misconduct.

Individuals should note that they will not be protected from the consequences of making a disclosure if, by doing so, they commit a criminal offence.

This policy does not deal with any complaints staff may have about their employment. This should be dealt with through Hackney Play Association's Grievance Procedure.

### **How to raise a concern in the workplace**

The officer designated to handle whistleblowing concerns is the Director, Kay O'Brien, and shall be known as the Whistleblowing Officer.

Individuals should in most cases, first report their concern to their line manager, who is expected to respond to that matter. If the relevant manager cannot deal with the matter, he or she will refer the concern to the Whistleblowing Officer.

Depending on the seriousness and sensitivity of the matter, and who is suspected of the wrongdoing, the individual can, if necessary, report directly to the Whistleblowing Officer. If the matter concerns the Whistleblowing Officer, it should be raised with the Chair of the Board of Trustees.

Individuals are encouraged to raise their concerns in writing where possible, setting out the background and history of their concerns (giving names, dates, and places where possible) and indicating the reasons for their concerns.

If any individual is unsure whether to use this procedure or they want independent advice at any stage, they should contact:

- their trade union (if applicable), or
- the independent charity, Public Concern at Work's legal helpline on 020 7404 6609, email: [helpline@pcaw.co.uk](mailto:helpline@pcaw.co.uk)

Public Concern at Work will be able to advise on how and with whom to raise a concern about malpractice.

### **Protecting the individual raising the concern**

If an individual raises a concern which they believe to be true, Hackney Play Association will take appropriate action to protect the individual 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.

The matter will be treated confidentially if the individual requests it and their name or position will be revealed without their permission unless Hackney Play Association has to do so by law. If in other circumstances the concern cannot be resolved without revealing the individual's identity, the Whistleblowing Officer will discuss with the individual whether and how to proceed.

Concerns raised anonymously tend to be far less effective, but the Whistleblowing Officer will decide whether or not to consider the matter taking into account:

- the seriousness of the matter
- whether the concern is believable
- whether an investigation can be carried out based on the information provided.

### **How Hackney Play Association will deal with the concern**

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 Hackney Play Association's Whistleblowing Officer, the Board of Trustees, through the disciplinary process or it may be referred to the police, other agencies (*e.g., Hackney Council or Social Services*), an external auditor or an independent investigator.

It may be necessary for the individual to give evidence in criminal or disciplinary proceedings.

Hackney Play Association will give the individual feedback on the progress and outcome of any investigation wherever possible.

If the suspicions are not confirmed by an investigation, the matter will be closed. Staff will not be treated or regarded any differently for raising the concern provided it has been raised in good faith, and their confidentiality will continue to be protected.