

WHISTLEBLOWING PROCEDURE
FOR THE
VETERANS' AND PEOPLE'S PARTY
(VAPP)



Created by	Date	Reviewed by	Date	Action
J. Hillman	9/11/2017	W. Watkins (Proofreading)	13/11/2017	Completed
J. Hillman	13/11/2017	R. Burke	13/11/2017	
J. Hillman	21/05/2018	R. Burke	21/05/2018	Revised name

THIS POLICY IS TO BE RENEWED ANNUALLY, HOWEVER REVISION SHOULD BE KEPT IN MIND FOLLOWING ANY MAJOR ISSUE WHERE ISSUES WITH THE POLICY ARISE.

YEAR	REVIEWED BY	ANY REVISIONS Y/N	DATE
2018			

Policy and Procedures for Disclosure ('Whistleblowing')

Introduction

The Public Interest Disclosure Act 1998 gives legal protection to employees against being dismissed or penalised by their employers as a result of publicly disclosing certain serious concerns. It is fundamental to any employment contract that an employee will be loyal to his or her employer and will not disclose confidential information outside the organisation.

However, from time to time, a member of staff might discover information which he or she believes shows wrongdoing or malpractice within the organisation. On such occasions it must be made possible for the information to be disclosed without fear of reprisal and, where appropriate, to someone other than the direct line manager.

Policy Statement

The Party is committed to the highest standards of honesty, openness and accountability. It aims to ensure that it operates in a responsible manner, taking into account standards set out in and by the Electoral Commission, Companies House, Her Majesty's Revenue and Customs, the Palace of Westminster, the Ministerial Code, the Civil Service Code, the Charity Commission, other National, Regional and Local Government regulations and guidelines, and the requirements of funding and other bodies and Data Protection Standards (Due to be changed in 2018 to GDPR).

The Party recognises that individual members of staff, its supporters, volunteers, members, and elected officials have an important role in helping to achieve this aim. It is often these individuals who are first to know if someone in the Party, or connected with it, appears to be acting illegally or improperly.

They may feel apprehensive or anxious about raising their concerns, and their loyalty to the Party or to a colleague may prevent them from doing so. They may also be concerned that they will not be taken seriously or about any action against themselves a disclosure might provoke.

The Party encourages individuals who have knowledge, or reasonable suspicion, of wrongdoing to come forward. The Party takes all wrongdoing seriously and believes any evidence suggesting such behaviour should be investigated thoroughly.

The purpose of this procedure is to assist and enable all individuals linked with the Party to raise concerns or to disclose information which they believe, in good faith, may indicate malpractice. Individuals are encouraged and expected to use this procedure rather than to air their grievances outside the Party. There are potential consequences of not using these procedures, which are set out below.

Scope of the Policy and Procedure

The Public Interest Disclosure Act limits its protection to employees, agency workers and self-employed workers. However, this policy and procedure extends similar protection to supporters, members of the Party, volunteers, elected members as well as employed staff of the Party.

The policy and procedures are concerned with alleged malpractice, impropriety or wrongdoing in the institution being it is in the Party's or public's interest to disclose. Whilst it is difficult to provide an exhaustive list, these might include the following:

- financial malpractice or impropriety, fraud and especially electoral fraud;
- failure to comply with a legal obligation or with the rules and regulations of the Party;
- dangers to health and safety or the environment;
- criminal activity;
- professional malpractice, which includes matters such as research misconduct, non-application of the Party's procedures and systems;
- improper conduct or unethical behaviour including any offence under the Bribery Act 2010;
- miscarriage of justice;
- attempts to conceal any of the above.

It can be difficult to decide whether a particular action falls within the procedures and it may be that, when concerns are investigated, it appears appropriate to address them through other more specific procedures. For instance, the Party has policies and procedures in place covering staff grievances, complaints and discipline matters. In such cases, the matter will not normally be considered under the Public Interest Disclosure Procedures.

As part of its' day to day conduct of business the Party takes decisions under established and reasonable procedures. It is not intended that this procedure will allow such decisions to be questioned unless on grounds of malpractice, impropriety or wrongdoing

Procedure for Making and Investigating a Disclosure

Concerns should normally be expressed in writing to the Party Secretary, who is designated with responsible for oversight of this procedure. If, however, an allegation directly concerns the Party Secretary, or their involvement would not be appropriate for any other significant reason, an individual may write to the Chair of the Party.

The Party Secretary, or any other senior executive identified by the Chair of the Party, will consider the information disclosed and decide whether the matter falls within the scope of this procedure and, if so, whether there are grounds for proceeding with an investigation.

- Should the matter fall outside this procedure but within another, the individual making the disclosure will be informed and directed to the appropriate process.

- Should the Party Secretary or the Chair of the Party decide that there are insufficient grounds on which to proceed, the individual making the disclosure will be informed and will have a right to provide further information and resubmit his or her concerns (see below).
- Should there be grounds for proceeding, the Party Secretary or other person will decide how the investigation should be undertaken.

This will depend on the nature of the matter and may involve:

- an internal investigation conducted by a sufficient independent senior member of the Party or its' internal or external auditor;
- referring the matter to the police;
- an independent external inquiry.

The investigation will not be conducted by the Party Secretary or any other person who may need to take a significant decision arising from the findings. It will be conducted as sensitively as possible, and normally be complete within eight weeks of the disclosure being made. The investigation will also take into account concepts of natural justice and the need to safeguard individual reputations.

When an allegation concerns a named individual, the person concerned will be informed of the allegation and of the evidence supporting it. He/she will be invited to respond to the allegation as part of the investigation and/or before any final conclusion is reached.

The point at which it is appropriate for the individual to be informed will depend on the nature of the case. In any hearing under these procedures, the individual making the disclosure and the person against whom an allegation has been made are both entitled to be accompanied by his/her union representative or by a colleague or friend.

The findings of any investigation will be reported to the Party Secretary or other identified person who will reach a decision on any further action to be taken. Following an initial investigation, other internal procedures may be identified as relevant and may be invoked, such as the disciplinary, grievance or complaints procedures.

In some cases it may be appropriate to refer a matter outside the Party for further investigation. The Party Secretary or other person will inform the individual making the disclosure of the conclusion reached and what action, if any, is to be taken and why.

If the individual making the disclosure is dissatisfied about how an inquiry was carried out, and its' resultant outcome, then he/she may appeal only on procedural grounds, to the Chair of the Party, who may order a procedural review and establish its' terms of reference.

If the initial disclosure was made to the Chair, an appeal may be made to the Appeals Committee.

A report summarising all disclosures and inquiries and any subsequent actions taken will be made by the Party Secretary or other person to the Board. Such reports will be retained for a minimum of three years.

Safeguards

The Party is keen to ensure that the position of both the individual raising concerns and anyone about whom allegations might be made are safeguarded. It will do this through the following measures.

Protection - The procedure offers protection against dismissal or other penalty by the Party to those individuals who disclose any relevant concerns, provided that the disclosure is made:

- in good faith; and,
- in the reasonable belief that what is disclosed may help identify malpractice, and,
- to the appropriate person.

Confidentiality - The Party will aim to treat all disclosures and information regarding any action taken under these procedures in a confidential and sensitive manner, in particular:

Individual making a disclosure - The identity of the individual making an allegation will remain confidential, unless otherwise agreed with that individual, so long as it does not hinder or frustrate the investigation and is compatible with natural justice. However, the investigation process may at some stage need to reveal the source of the information, and the individual making the disclosure may at that stage need to provide an attributable statement as part of the evidence to be presented.

Named individual - During the course of any investigation the Party will, as far as is reasonably possible without prejudicing that investigation, endeavour to maintain confidentiality regarding the names of any person/people named in an allegation.

Anonymous Allegations

Individuals are normally expected to put their name to any disclosures or allegations they make. Concerns expressed anonymously will not normally be addressed. However, at its' discretion the Party may decide to do so after taking into account the seriousness of the issues raised; and the credibility of any allegations; and the likelihood of being able to substantiate the allegation through attributable sources.

Unsubstantiated Allegations

No action will be taken against an individual who makes an allegation in good faith even if it is not confirmed by subsequent investigation. If, however, an individual makes what is subsequently determined by the Party Secretary or the Chair of the Party to be malicious or vexatious allegations or made for personal gain, and particularly if he or she persists in making them, disciplinary action may be taken. A disclosure may be deemed malicious or vexatious at any stage of the procedure.

Independent Advice

If an individual is unclear on whether to use this procedure, or if they want independent advice at any stage, they are advised to contact the following, as appropriate:

- a union advisor;
- an appropriate employee representative;
- the local Citizens Advice Bureau;
- Public Concern at Work (helpline@pcaw.co.uk).

This policy and procedure is designed to clarify for individuals the route through which concerns can be raised and to assure them that such matters will be taken seriously and acted upon within the Party. The Party takes the view, in the vast majority of cases, an internal investigation and decision is likely to be the most appropriate course of action.

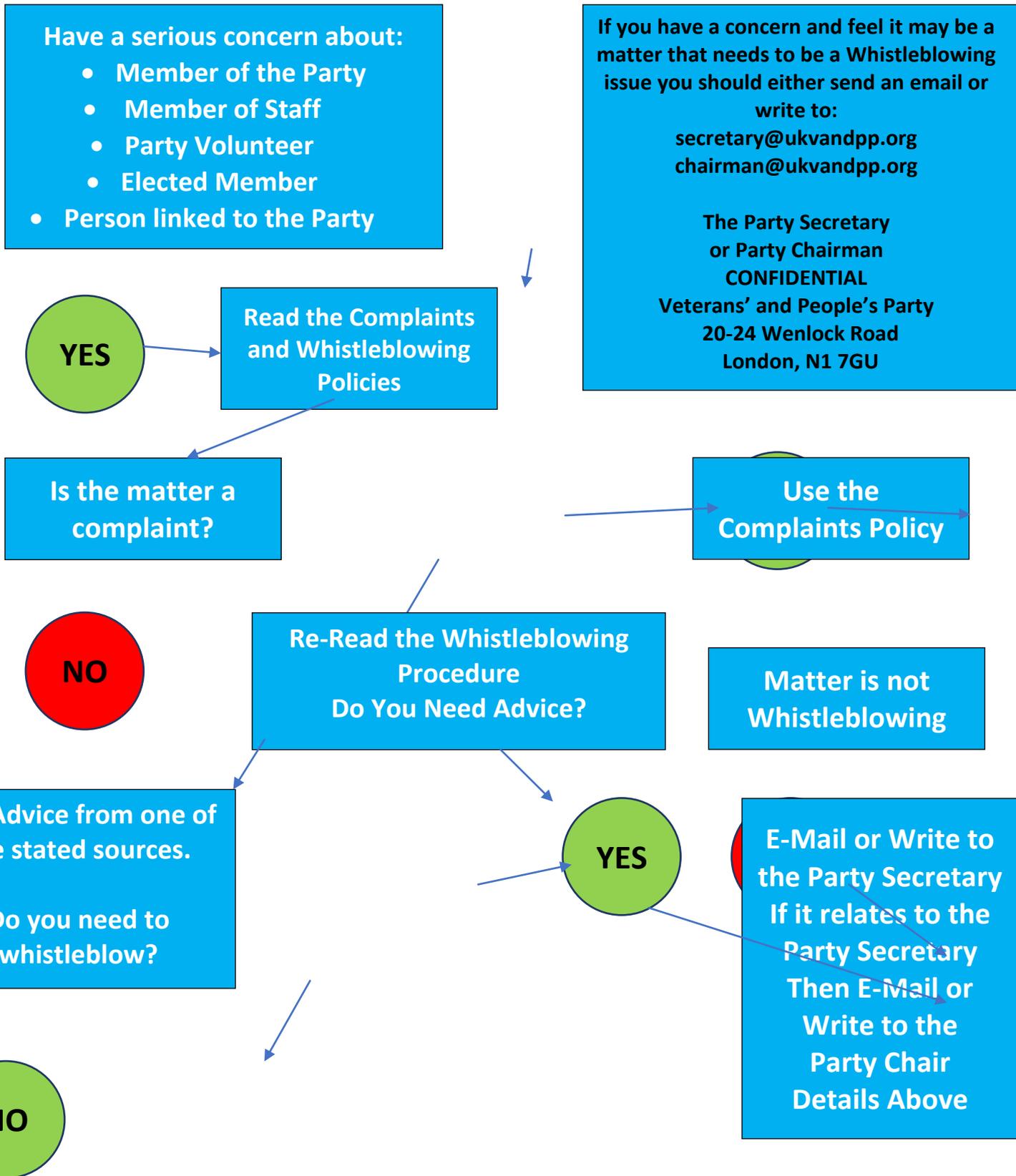
Should an individual raise matters of concern outside the Party without first using this procedure, he/she may be in breach of the procedure and potentially will have committed a disciplinary offence, especially if it causes, or might have caused, unnecessary reputational damage to a member of the Party or to the institution. In such circumstances, an individual may be deemed as having waived their rights under the Public Interest Disclosure Act.

In particular, it would not usually be considered appropriate for matters to be raised publicly in the media before an investigation is completed. Public Concern at Work are able to advise independently on these matters.

Should you have a query about this policy or its' applicability, in the first instance, please contact:

**The Party Chairman
Veterans' And People's Party
20 – 24 Wenlock Road
London
N1 7GU**

Flowchart For The Whistleblowing Procedure



This page is purposely blank