



Terapia Whistleblowing Policy

Responsibility of Policy	CEO
Relevant to	All Terapia employees, contractors, trainees, service users, volunteers, business contacts and suppliers
Responsibility For Document Review	CEO
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1. Purpose

UK workers and employers are entitled to certain protections if they “make a disclosure in the public interest” regarding their employer’s or a third party’s actions. Terapia encourages students and staff to make any such disclosures in line with a specific procedure and reassures them of their protected position if they do so. This policy plays a critical role in ensuring a consistent, effective and compliant approach to whistleblowing. It’s purpose is to:

- Encourage openness and “speaking out” within the organisation by showing staff and others that Terapia will not only act in the event of wrongdoing but will also protect anyone making a disclosure.
- Set out the steps that will be taken following a disclosure.
- Encourage disclosures to be made sooner rather than later, which can result in the wrongdoing being dealt with speedily and potentially before regulatory or other action needs to be taken.

2. Definitions

Whistleblowing is another name given to the making of a disclosure in the public interest.

3. Background/Context

- This policy is designed to ensure that students or staff can raise their concerns about wrongdoing or malpractice within Terapia without fear of victimisation, subsequent discrimination, disadvantage or dismissal.
- It is also intended to encourage and enable you to raise serious concerns within Terapia rather than ignoring a problem or 'blowing the whistle' outside.

4. Guidelines

- This Policy applies to all staff, students and contracted staff working at Terapia. Staff/students are often the first to realise that there may be something seriously wrong within the organisation. We encourage staff/students to feel confident in raising serious concerns at the earliest opportunity and to question and act upon concerns about practice.

- Terapia provide avenues for staff/students to raise those concerns and receive feedback on any action taken. We ensure that staff/students receive a response to their concerns and that they are aware of how to pursue them if they are not satisfied.
- The Whistle Blowing Policy is not intended to replace existing procedures: If your concern relates to your own treatment as an employee, you should raise it under the existing grievance or harassment procedures
- Whistleblowing may cover any serious concerns that staff/students have about the conduct of colleagues/tutors or others acting on behalf of Terapia that:
 - a. make you feel uncomfortable in terms of known standards.
 - b. are not in keeping with the policies of Terapia
 - c. fall below established standards of practice; or
 - d. are improper behaviour.

These might relate to:

- i. conduct which is an offence or a breach of the law (a criminal offence has been committed or failing to comply with any other legal obligation)
- ii. disclosures related to miscarriages of justice
- iii. racial, sexual, disability or other discrimination
- iv. health and safety of the public and/or other employees
- v. damage to the environment
- vi. unauthorised use of public funds or other assets
- vii. possible fraud and corruption
- viii. neglect or abuse of clients, or
- ix. other unethical conduct.

This list is not exhaustive.

5. Protecting the Whistle-Blower

This policy has been written to take account of the Public Interest Disclosure Act 1998 which protects workers making disclosures about certain matters of concern, when those disclosures are made in accordance with the Act's provisions and in the public interest.

The Act makes it unlawful for Terapia to dismiss anyone or allow them to be victimised on the basis that they have made an appropriate lawful disclosure in accordance with the Act.

6. Harassment or Victimisation

Terapia recognises that the decision to report a concern can be a difficult one to make. Terapia will not tolerate any harassment or victimisation of a whistle-blower (including informal pressures) and will take appropriate action to protect them when they raise a concern in good faith and will treat this as a serious disciplinary offence which will be dealt with under the disciplinary rules and procedure.

7. Supporting the Whistle-Blower

Throughout this process:

- you will be given full support from senior management

- your concerns will be taken seriously, and
- Terapia will do all it can to help you throughout the investigation

8. Confidentiality

All concerns will be treated in confidence and every effort will be made not to reveal your identity if that is your wish. If disciplinary or other proceedings follow the investigation, it may not be possible to take action because of your disclosure without your help, so you may be asked to come forward as a witness. If you agree to this, you will be offered advice and support.

9. Anonymous Allegations

This Policy encourages staff/students to put their name to an allegation whenever possible, as it will be much more difficult for us to protect colleagues' position or to give feedback. This policy is not ideally suited to concerns raised anonymously.

Concerns expressed anonymously are much less powerful, but they may be considered at the discretion of Terapia. In exercising this discretion, the factors to be considered would include:

- a. the seriousness of the issue raised
- b. the credibility of the concern, and
- c. the likelihood of confirming the allegation from other sources

10. Untrue Allegations

If staff/students make an allegation in good faith and reasonably believing it to be true, but it is not confirmed by the investigation, Terapia will recognise your concern and you have nothing to fear. If, however, you make an allegation frivolously, maliciously or for personal gain, appropriate action that could include disciplinary action, may be taken.

11. Raising a Concern

The person who you should raise a concern with will depend on the seriousness and sensitivity of the issues involved and who is suspected of the wrongdoing. One should normally raise concerns with the following in this order:

1. Line Manager
2. The CEO
3. Chair of Trustees

12. How to Raise a Concern

Colleagues may raise their concern by telephone, in person or in writing. The earlier one expresses a concern, the easier it is to take action. Staff/students will need to provide the following information:

- a. the nature of the concern and why a person believes it to be true
- b. the background and history of the concern (giving relevant dates)

Colleagues may invite trade union, professional association representative or a friend to be present for support during any meetings or interviews in connection with the concerns raised.

13. What Terapia will do

Terapia will respond to concerns as quickly as possible. Testing the concerns is not the same as either accepting or rejecting them. The overriding principle for the Terapia will be the public interest. In order to be fair to all employees, including those who may be wrongly or mistakenly accused, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take.

The investigation may need to be carried out under terms of strict confidentiality, i.e., by not informing the subject of the complaint until (or if) it becomes necessary to do so. In certain cases, however, such as allegations of ill treatment of others, suspension from work may have to be considered immediately. Protection of others is paramount in all cases.

Where appropriate, the matters raised may:

- a. be investigated by management, internal audit, or through the disciplinary/grievance process
- b. be referred to the police
- c. be referred to the external auditor
- d. be referred and put through established child protection/abuse procedures
- e. form the subject of an independent inquiry

Within ten working days of a concern being raised, the person investigating the concern will write to the person disclosing the information.

- a. acknowledging that the concern has been received
- b. indicating how Terapia proposes to deal with the matter
- c. supplying them with information on staff support mechanisms
- d. telling them whether further investigations will take place and if not, why not.

The amount of contact between the person raising the concern and the officers considering the issues will depend on the nature of the matters raised, the potential difficulties involved and the clarity of your information. It is likely that the person raising the concern will be interviewed to ensure that the disclosure is fully understood.

Any meeting can be arranged away from the workplace, if requested, and a union or professional association representative or a friend may accompany in support.

Terapia will do what it can to minimise any difficulties that a person whistleblowing may experience as a result of raising a concern.

The person raising concern will be assured that the disclosure has been properly addressed. Unless there are any legal reasons why this cannot be done and will be kept informed of the progress and outcome of any investigation.

14. How the Matter can be Taken Further

This Policy is intended to provide colleagues with an avenue within Terapia to raise concerns. Terapia hopes colleagues will be satisfied with any action taken. If not, a person raising a concern might take the matter outside Terapia to a) the police or b) other relevant bodies prescribed by legislation. This Policy **does not** prevent colleagues from taking their own legal advice.