**Framwellgate Moor Youth & Community Association**

Whistleblowing Policy

August 2020

1. **Introduction**

Employees may, in properly carrying out their duties, have access to, or come into contact with, information of a confidential nature. Their terms and conditions provide that except in the proper performance of their duties, employees are forbidden from disclosing, or making use of in any form whatsoever, such confidential information.

However, the law allows employees to make a ‘protected disclosure’ of certain information. In order to be ‘protected’, a disclosure must relate to a specific subject matter (clause 2) and the disclosure must also be made in an appropriate way (clause 3). Whistleblowing protection is confined to a disclosure which, in the reasonable belief of the employee making the disclosure, is made in the public interest.

Framwellgate Moor Youth and Community Association (“FMYCA”) is committed to compliance with the Bribery Act 2010. FMYCA actively encourages a culture of honesty and openness and therefore all employees are required to bring up to their manager or other designated person any issue that, in the employee’s opinion, might constitute bribery or corruption.

1. **Specific Subject Matter**

If, in the course of employment, an employee becomes aware of information which they reasonably believe tends to show one or more of the following:

1. That a criminal offence has been committed, is being committed or is likely to be committed.
2. That a person has failed, is failing or is likely to fail to comply with any legal obligation to which he is subject.
3. That a miscarriage of justice that has occurred, is occurring, or is likely to occur.
4. That the health or safety of any individual has been, is being, or is likely to be, endangered.
5. That the environment, has been, is being, or is likely to be, damaged.
6. That information tending to show any of the above, is being, or is likely to be, deliberately concealed.
7. That the Association or any associated person has been, is being, or is likely to be receiving or offering bribes.

They must use FMYCA’s disclosure procedure as set out below.

1. **Disclosure Procedure**
2. Information which an employee reasonably believes tends to show one or more of the above should promptly be disclosed to **Secretary of the Trustees** of FMYCA so that any appropriate action can be taken.
3. If it is inappropriate to make such a disclosure to Secretary of the Trustees of FMYCA, the employee should speak to a Trustee who is not a member of the Executive Committee.
4. Employees will suffer no detriment of any sort for making such a disclosure in accordance with this procedure.
5. However, failure to follow this procedure may result in the disclosure of information losing its ‘protected status.’
6. For further guidance in relation to this matter or concerning the use of the disclosure procedure generally, employees should speak in confidence to the Secretary to the Trustees of FMYCA..

**This policy has been approved & authorised by:**

|  |  |
| --- | --- |
| **Name:** | Peter Sykes |
| **Position:** | Secretary to FMYCA Trustees |
| **Date:** | 13/08/2020 |
| **Signature:** |  |
| **Reviewed:1** | 25/02/2021 by FMYCAPolicysubcommittee (Peter Sykes) |
| **Ratified:1** | 25/03/2021 by FMYCA Management meeting |
| **Reviewed:2** | 25/02/2022 by FMYCAPolicysubcommittee (Chair - Peter Sykes) |
| **Ratified:2** | 24/03/2021 by FMYCA Management meeting |