

123 AFTER SCHOOL CLUB

WHISTLE BLOWING POLICY

The Public Interest Disclosure (Northern Ireland) Order, also known as the '**Whistleblowing Act**' provides protection for employees who disclose information which may be regarded as confidential and which tends to show one or more of the following:

- A criminal offence has been, is being, or is about to be committed;
- The employer is failing to comply with his legal obligations;
- A miscarriage of justice has happened or is likely to happen;
- An individual's health and safety is being jeopardised;
- The environment is, or is likely to be damaged;
- Information falling into any one of the above categories which has been, is being, or is likely to be, deliberately concealed.

An employee must have a reasonable belief that a crime has or may be committed. An employee tribunal will decide whether or not such a belief was reasonable.

In deciding whether or not an employee has acted reasonably, all circumstances will be taken into consideration, in particular:

- The identity of the person to whom the disclosure is made;
- The seriousness of the relevant 'offence';
- Whether the 'offence' is continuing or is likely to occur in the future;
- Whether the disclosure is made in breach of a duty of confidentiality owed by the employer or any other person;
- Any action the employer or prescribed person might reasonably be expected to take as a result of a previous disclosure;
- Whether in making the disclosure to the employer, the employee complied with procedures applied by the employer.

Protection applies where the 'external' disclosures are made to such bodies as the police. In such instances the 123 Club would expect to be satisfied

that internal sources had been advised first or that the employee believed they would have been victimised or evidence would have been concealed or destroyed. External disclosures must be made in good faith in the belief that allegations are substantially true and there should be no motive for personal gain.

Application of this policy

This policy applies to all employees of the 123 Club.

The policy aims to provide employees with an avenue to raise concerns and receive feedback on any actions taken.

Employees may take the matter further if they are dissatisfied with the response.

Protection of Employees

The Manager/owner of the 123 Club is committed to this policy. If any employee raises a concern in good faith, the Manager/owner will protect them against harassment or victimisation and will, if necessary, apply disciplinary procedures.

If an employee raises a genuine concern under this policy, he/she will not be at risk of losing their job or suffering retribution as a result.

In accordance with the Public Interest Disclosures (Northern Ireland) Order 1988 an employee cannot be dismissed or selected for redundancy as a result of making a disclosure in good faith.

Employees who already are the subject of disciplinary, grievance procedures will not have those procedures stopped or suspended as a result of their whistleblowing.

Confidentiality

The Manager/owner recognises that employees may want to raise concerns in confidence under this policy.

If an employee requests that their identities be protected, the Manager will endeavour to honour this request.

If a situation arises where a concern cannot be resolved without revealing the employee's identity, the Manager/owner will discuss with the employee whether and how progress can be made. It may be that evidence, either written or verbal, is required in court proceedings.

The 123 Club endeavours to create an atmosphere where employees feel able to report concerns which will be thoroughly investigated.

Staff will be made aware of the regular chain of reporting concerns but that they may contact our governing body (Belfast Trust Early Years Team) if they feel these concerns are not being addressed.

Who should I report a concern to?

1. **The Manager** should be the first point of contact in relation to concerns regarding a staff member.
2. The Link Social Worker - name and contact details will be available and displayed at all times.
3. The Gateway team

Signed M.Scott Oct 2024