**Mearns Kirk Helping Hands**

**Whistle-blowing Policy and Procedure**

Mearns Kirk Helping Hands (MKHH) is committed to a free and open culture in dealing with volunteers, employees, and all people with whom we engage.

MKHH recognises that effective and honest communication is essential to maintain our values and to ensure that instances of misconduct are detected and dealt with.

The purpose of this policy is to encourage everyone, whether they are volunteers, paid staff, group members, carers or other stakeholders to report any misconduct without risk to themselves.

***Policy***

This policy will apply in cases where a person genuinely and in good faith believes that misconduct is occurring, has occurred or may occur within the practice of MKHH.

Below are some examples of misconduct:

* A criminal offence
* A person not complying with any legal obligation
* The use of deception to obtain an unjust or illegal financial advantage
* A miscarriage of justice
* Danger to the health and safety of an individual
* Damage to the environment
* A fundamental breach of internal policy
* Intentional misrepresentation directly or indirectly affecting financial statements
* Serious non-professional or non-ethical behaviour including harassment and bullying
* Deliberate concealment of information relating to any of the above

***Procedure***

You should, in the first instance, raise the matter with the relevant Group Leader or, if you do not feel this is appropriate, with the Project Manager. Should you feel unable to talk to either the Group Leader or Project Manager you should contact the Chair of the Board of Trustees who will contact the Trustees to arrange a meeting.

***Investigation***

Once an allegation of misconduct is made the Board of Trustees will agree an appropriate investigation plan, and will endeavour to respond to you within 5 working days, setting out what further investigation, if any, is planned. Once the investigation is complete it will be reviewed by the Board and you will be advised of the results of the investigation, as well as any corrective actions which are being taken.

MKHH recognises that whistle- blowing is a potentially sensitive issue. If you believe that you are being penalised in any way for whistle- blowing or if you do not consider that you have had a satisfactory response to your disclosure you should write to OSCR setting out the facts (contact details below).

***Safeguards***

If you request it, we will take all reasonable steps to protect your anonymity. However, you should be aware that action taken as a result of your disclosure may lead to your identity needing to be revealed.

Any whistle- blowing employee is legally protected against adverse employment actions (i.e. dismissal, demotion, suspension, harassment or other forms of discrimination) for raising allegations of misconduct. A whistle-blowing employee is also protected even if the allegations prove to be incorrect or unsubstantiated, provided the disclosure is made in good faith and where it is believed the information and any allegation in it are true.

***Disciplinary Action***

If any allegation of misconduct is substantiated, appropriate disciplinary action will be taken against the responsible individual(s), up to and including dismissal.

Furthermore, any act of retaliation or victimisation against a whistle-blower volunteer or employee will result in disciplinary action being taken against the perpetrator, up to and including dismissal.

The malicious use of the whistle-blowing policy will result in disciplinary action against the whistle-blower, up to and including dismissal.

OSCR (The Scottish Charity Regulator):

OSCR, 2nd Floor, Quadrant House,
9 Riverside Drive,
Dundee DD1 4NY.

[www.oscr.org.uk](http://www.oscr.org.uk)

01382 220446

***Vicky Attwood***

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