



ALEXANDRA PARK AND PALACE CHARITABLE TRUST

Whistleblowing Policy

1. Introduction

This document sets out the Whistleblowing Policy of Alexandra Park and Palace Charitable Trust and its trading subsidiary APTL hereafter known as Alexandra Palace.

2. Background

This policy outlines what you should do if you suspect something happening at work is putting you or others in danger, or is illegal or unethical.

The law provides protection for individuals who raise legitimate concerns about specified matters. This means that they have the right not to be dismissed, subjected to any other detriment, or victimised, because they have made a disclosure.

These are called "qualifying disclosures". A qualifying disclosure is one made in the public interest by an individual who has a reasonable belief that one of the following acts is being, has been, or is likely to be, committed:

- a criminal offence;
- a miscarriage of justice;
- an act or omission creating risk to health and safety;
- an act or omission causing damage to the environment e.g. Pollution incident;
- financial irregularities;
- concerns regarding fundraising practice;
- act of bribery;
- a breach of any other legal obligation; or
- concealment of any of the above.

This list is not exhaustive and, as we are a charity, we need to be transparent in all that we do in order to ensure our reputation and public confidence are maintained. This means that the definition of what might be in the public interest is broad. Please speak to the Director of HR and OD if you are not sure whether something you have become aware of is covered by this policy.

It is not necessary for you to have proof that activity of the sort listed above is being, has been, or is likely to be, committed - a reasonable belief is sufficient. You have no responsibility for investigating the matter; Alexandra Palace has responsibility to ensure that an investigation takes place.

3. Scope

This policy applies to all staff, whether full-time, part-time, on a fixed term or a casual contract. It also covers volunteers and those who are providing services or performing work, such as agency workers and contractors. All of the listed individuals are encouraged to use this policy.

This policy does not cover disclosures about employees' personal circumstances, treatment at work or potential breaches of their contract of employment. If an employee wishes to make a complaint about their employment or how they have been treated in the workplace, they should use the following policies:

- Anti-Bullying and Harassment Policy;
- Equality Diversity and Inclusion Policy;
- Grievance Policy.

4. Policy

It is our policy that any fraud, misconduct or wrongdoing is reported and properly dealt with. Alexandra Palace therefore encourages you to raise any concerns that you may have about the conduct of others in the organisation or the way in which the organisation is run. This policy sets out the procedure under which you may raise concerns and how those concerns will be dealt with.

Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. Individuals should be watchful for illegal or unethical conduct and report anything of that nature that they become aware of. Any matter raised will be investigated thoroughly, promptly, and confidentially, and the outcome of the investigation reported back to the individual who raised the issue.

An instruction to cover up wrongdoing is itself a disciplinary offence. If told not to raise or pursue any concern, even by a person in authority such as a manager, you should not agree to remain silent. You should report the matter following the procedure below.

No individual will be victimised for raising a matter under this procedure. This means that the continued employment and opportunities for future promotion or training of the individual will not be prejudiced because he/she has raised a legitimate concern. Victimisation of an individual for raising a qualified disclosure will be dealt with under the disciplinary procedure.

If misconduct is discovered as a result of any investigation under this procedure, such misconduct will be dealt with under the Alexandra Palace disciplinary procedure, in addition to any other appropriate internal or external measures. External measures may include reporting to the appropriate external agency, such as our regulator, the Charity Commission.

We want you to be assured that there will be no reprisals for raising concerns that you reasonably believe are made in the public interest, even if we establish through our investigations that you are mistaken. However, there may be occasions where false allegations are made in bad faith. Such cases will be dealt with under our disciplinary policy and may result in dismissal for gross misconduct.

5. Procedure

We encourage you to raise your concerns under this procedure in the first instance. If you are not sure whether or not to raise a concern, you should discuss the issue with your line manager or the Director of HR and OD.

Stage 1 Raising concerns

In the first instance, any concerns should be raised with your line manager, either in person or in writing. This is unless you reasonably believe your line manager to be involved in the wrongdoing, or if for any other reason you do not wish to approach your line manager. If you believe your line manager to be involved, or for any reason do not wish to approach the line manager, then you should proceed straight to stage 3. You should also do this if your concerns are of a very serious nature.

You are always encouraged to raise concerns openly, and if you prefer to do so in confidence, Alexandra Palace will do all that we can to ensure your identity remains hidden. We may want to disclose your identity to people involved in the investigation, but will always discuss this with you first.

Alexandra Palace discourages anonymous whistleblowing. Concerns raised anonymously are very difficult (and sometimes impossible) to investigate. Alexandra Palace cannot properly establish whether allegations are credible without being able to ask for more details or for clarification, and this makes it hard to reach an informed decision. This is why we urge you not to report matters anonymously.

Stage 2 How Alexandra Palace will handle the matter

When advised of a concern or on receipt of a complaint, you will be invited to a meeting to discuss your concerns. You are entitled to be accompanied at this meeting and any subsequent meeting by a colleague or a trade union representative. If you bring a companion, we ask that you both agree to keep your disclosures confidential before and after the meeting and during any investigation that may follow.

Alexandra Palace will then investigate your concerns and we may ask you to attend further meetings. If you reported your concern to your manager, it may be your manager who investigates in the first instance. In doing so, they will take every

possible step to maintain your anonymity, should you wish for your identity to remain hidden. Alexandra Palace will then decide what further action might be appropriate.

Alexandra Palace will advise you who will be handling the matter, how to contact them, what further assistance that may be needed and agree a timetable for feedback. When requested, Alexandra Palace will write to you summarising the concern and setting out the proposal for handling the concern. Please note, however, that it may not always be possible to inform you about the precise actions Alexandra Palace will take where this would infringe on a duty of confidence owed to another person.

Stage 3 Escalation of concerns

If you are concerned that your line manager is involved in the wrongdoing, if the concern is very serious, or if you feel that your concerns have not been addressed properly under stage 1 or 2, you should contact one of the following:

- 1) the Director of HR and OD;
- 2) the Whistle blowing hotline by telephone: **020 8365 4555** or by emailing whistleblowing@alexandrapalace.com;
- 3) the Trustee Board Lead Member for Whistleblowing, who will arrange for another manager to review the investigation carried out, make any necessary enquiries, and make his/her own report to the Board.

6. Reporting the matter to an external agency

This policy describes the process for raising and dealing with whistleblowing complaints. It will rarely be necessary for anyone outside Alexandra Palace to become involved when a whistleblowing allegation is made. However, if on conclusion of stages 1, 2 and 3, you reasonably believe that the appropriate action has not been taken, it may be appropriate for you to report your concerns to an external body such as our regulator, the Charity Commission.

The Charity Commission provides guidance on how to report a serious issue directly to the regulator if the individual does not wish to speak to anyone in the Charity - <https://www.gov.uk/guidance/report-serious-wrongdoing-at-a-charity-as-a-worker-or-volunteer>.

The Charity Commission advises seeking advice from independent charity **Protect** before approaching any external agency: 0800 055 7214 www.pcaaw.co.uk or by email at whistle@protect-advice.org.uk.

8. Employee Assistance Programme

Alexandra Palace also provides an employee assistance programme that offers confidential support service and advice on personal issues and work-related issues.

Employees can contact the service, 24 hours a day 7 days a week on 0800 047 4097.

9. Associated documentation and further information

The policy should be read in conjunction with the following documents:

- Grievance Policy
- Anti-Bullying and Harassment Policy
- Code of Conduct
- Serious Incident Reporting Policy
- Health and Safety Policy

For further information on concerns around Fundraising practice:

<https://www.fundraisingregulator.org.uk/wp-content/uploads/2017/02/Consultation-responses-summary-and-code-changes-1.pdf>

10. Data protection

When an individual makes a disclosure, Alexandra Palace will process any personal data collected in accordance with our data protection policy. Data collected from the point at which the individual makes the report is held securely and accessed by, and disclosed to, individuals only for the purposes of dealing with the disclosure.

11. Status of policy

This procedure is a statement of current Alexandra Palace policy taking into account current legislation. Alexandra Palace therefore reserves the right to amend the procedure as necessary to meet any changing requirements.

Created: June 2017,
Approved: APPCT 18.07.2017
Reviews: October 2017, August & Sept. 2018, March 2019, June 2019, March 2020, January 2022

Significant adjustments made:

June 2019		Independent advice charity details amended & Charity Commission details added
03.10.2017	V2	Includes reference to fundraising code and fundraising practice
02.08.18	V3	Data Protection section 13 added
18.09.18	V4	Direct phone number & email address added
11.03.19	V5	Independent advice amendments ('Protect', formerly 'Public Concern at Work')
25.06.19	V6	Stage 3 Charity Commission guidance link added
16.03.2020	V7	Removal of harassment in section 2 bullet points as not a protected disclosure and dealt with under separate policy
04.07.22	V8	<ul style="list-style-type: none">- More encouragement to make disclosures and in the appropriate way, e.g. setting out the right to be accompanied to meetings, clarifying what happens if the whistle-blower is mistaken, emphasising the need to make disclosures in good faith, explaining the limitations when responding to anonymous disclosures; Stronger discouragement to take concerns to external bodies.- There is no longer a requirement for a qualifying disclosure to be made. The current position is that a disclosure will be a qualifying disclosure if the person(s) stated in para 3, has a reasonable belief, that it is made in the public interest.