



**MAGIC ME**  
**WHISTLEBLOWING POLICY**  
18 Victoria Park Square  
London  
E2 9PF  
Registered Charity: 328331

**Background**

Whistle blowing is where a member of staff, volunteer or consultant raises concerns about underhand or illegal practices within his or her organisation or an associated organisation. Magic Me's policy is to operate within the country's laws and regulations, and all staff members, volunteers and consultants are expected to co-operate in this by adhering to all laws, regulations, policies and procedures.

**Policy**

Magic Me is committed to maintaining an open culture with the highest standards of honesty and accountability, where staff members, volunteers, consultants, trainees and clients can report any legitimate concerns in confidence. Magic Me takes all malpractice very seriously, and this document sets out the procedure by which staff members can report any concerns.

Magic Me offers protection to any member of staff, volunteer or consultant who honestly and reasonably believes that underhand or illegal practices are taking place and undertakes to comply with all applicable laws relating to the prohibition of retaliation against good-faith whistle-blowers; see the Protected Disclosures Act 2014 and the Public Interest Disclosure Act 1998, which gives to workers who whistle blow protection against victimisation or dismissal.

Assuming the requirements of this policy have been met, Magic Me undertakes to protect the member of staff, volunteer or consultant from any personal claims and from any victimisation, harassment or bullying occasioned as a result of their disclosure. Magic Me also undertakes not to initiate any disciplinary action. The aim is that the career of any member of staff, volunteer or consultant should not in any way be harmed or hindered as a result of his or her disclosure (whether the item reported proves to be true or not, provided the reporting was carried out in good faith).

Any reprisal or similar action taken against a discloser because they have made a protected disclosure under this policy may be regarded as gross misconduct and may result in disciplinary action.

Magic Me would expect all staff members, volunteers and consultants to report any of the following:

- a criminal offence such as fraud, corruption and malpractice
- a failure to comply with a legal obligation
- the endangering of an individual's health and safety
- damage to the environment
- abuse or neglect of vulnerable people
- damaging personal conflicts within Magic Me
- bullying, discrimination, harassment or victimisation in the workplace
- deliberate concealment of information relating to any of the above
- any other act not covered above which could damage Magic Me or bring the charity into disrepute

Where the nature of a disclosure is not included in the above list, it should be made by way of Magic Me's grievance procedure for staff or complaints policy for consultants and not under this whistle blowing policy.

### **Procedure**

In the event a member of staff, volunteer or consultant has reason to believe that underhand or illegal practices are taking place, the member of staff, volunteer or consultant is encouraged to make his or her disclosure immediately to either his or her line manager, who should report it to the General Manager directly. If preferable, the individual can come forward with a work colleague, friend or family member.

The General Manager will then investigate the alleged offence in conjunction with the Director or a member of the board of trustees and any other staff members as appropriate. When disclosing any concerns, the staff member will not be expected to have absolute proof of malpractice, but will need to be able to show the reasons for his or her concern.

It is particularly important in matters concerning the health, safety and welfare of those on our premises (whether staff members, volunteers, clients, trainees, contractors or visitors) that anyone, including an elected safety representative, who becomes aware of a hazard (actual or potential) or dangerous occurrence is expressly required to immediately notify the General Manager before making any other report (e.g. to an outside body) not least so that immediate action can be taken if necessary to deal with the hazard.

Failure to notify Magic Me when reasonably aware or certain of an occurrence included in the list of categories of disclosures above is regarded by the organisation as misconduct. If the disclosure is relating to the General Manager or Director then the report should be made directly to the chair of the trustees HR Committee, Denise Leander on [deniseleander63@yahoo.com](mailto:deniseleander63@yahoo.com).

Failure to notify internally before notifying externally without good cause is also regarded as misconduct. Only if a member of staff, volunteer or consultant has reasonable grounds for believing that the trustees may be involved may contact be made to an outside body in the first instance.

If anyone tries to discourage someone from disclosing a genuine concern, their behaviour may be treated as a disciplinary offence.

Where requested, Magic Me will keep the identity of the discloser confidential as far as possible. However, in certain circumstances, e.g. if a criminal investigation follows, the member of staff may be needed as a witness. If this happens, the General Manager will inform the member of staff, volunteer or consultant at the earliest opportunity.

If the alleged offence is substantiated, appropriate action will be taken. The discloser will be informed of the outcome where reasonably practicable. If the discloser is unhappy about the outcome of an investigation, he or she should make a further report to the General Manager or trustees and if there is good reason to do so, the concern will be investigated again.

Any deliberate false or malicious allegations will be taken very seriously and appropriate disciplinary action will be taken. Where a member of staff, volunteer or consultant acts in a malicious way (for example by leaking information to the press), the protection outlined above will not apply and the member of staff, volunteer or consultant will be subject to disciplinary action which could result in summary dismissal for gross misconduct.

If a member of staff, volunteer or consultant has a concern and is unsure whether this is the appropriate procedure for raising it, or is unhappy about the final outcome of an investigation, he or she can contact the independent charity, Public Concern at Work, on 020 3117 2520 for independent advice.

The General Manager will monitor the use and effectiveness of the whistle blowing policy.

**Policy Adopted by the Trustees: 01/11/2017**

**Reviewed by the HR Committee: 23/01/2019**

**Next review due 22/01/2020**