**WHISTLEBLOWING POLICY**

Music 4 U (M4U) provides proper integration to enable children, young people and vulnerable adults with and without additional support needs to understand, learn, help & support each other through song, dance and stage craft.

**Our Commitment**

We always aim to conduct ourselves ethically with honesty and integrity.

We expect the same high standards from all of our workers.

However, we recognise that there may be occasions when we – or our people – do not get this right. In these instances, you may need to raise your genuine and serious concerns through this whistleblowing policy.

**Policy Aims to:**

* provide an effective way for you to raise serious concerns.
* ensure that you receive feedback on any action undertaken by us as a result of your raising serious concerns.
* ensure you will be protected from reprisals or victimisation for having raised your concern in good faith.
* signpost you to further options available if you are dissatisfied with our response or if the internal investigation is not appropriate.
* allow M4U to take action against any worker who makes allegations in bad faith and publicly discloses information when it is unreasonable for them to do so.

**The policy applies to:**

Everyone who works for and volunteers with M4U, i.e. employees, freelance workers, sessional staff, volunteers, trustees, agency workers, interns, and contractors. Referred to throughout this policy as ‘workers’.

1. **DEFINE WHISTLEBLOWING**

‘Whistleblowing’ is a term used to refer to the internal or external disclosure of malpractice as well as illegal acts or omissions at work. It covers, for example, how we raise funds, how we commission work or make payments.

1. **PROTECTING INDIVIDUALS USING THIS POLICY**

The Public Interest Disclosure Act 1998 amended the Employment Rights Act 1996 and protects individuals who raise legitimate concerns about specified matters, outlined below. These are called qualifying disclosures.

A qualifying disclosure is one made in good faith by an individual who has a reasonable belief that:

* a criminal offence (including fraudulent and corrupt behaviour, e.g. theft, fraud or malpractice)
* a miscarriage of justice
* an act creating risk to health and safety
* an act causing damage to the environment
* a breach of any other legal obligation, or
* concealment of any of the above.

You do not need proof that such an act is being, has been, or is likely to be committed. However, it would be best if you held a reasonable belief of such an action having been, being or likely to be carried out.

If you make such a protected disclosure, you have the right not to be dismissed, subjected to any other detriment, or victimised. This is the case even where it is to materialise that you were genuinely mistaken. We will not tolerate individuals being subjected to harm due to their disclosing good faith. Under the law, interns, contractors or volunteers are not afforded the same legal protection that is afforded to employees.

1. **MALICIOUS DISCLOSURES**

Suppose it is found that you have maliciously raised a matter which you know to be untrue or you are involved in any way in the malpractice, wrongdoing or illegal acts or omissions. In that case, your behaviour may be addressed through the appropriate M4U Policy.

1. **NON-WHISTLEBLOWING CONCERNS**

This policy will only be used in the exceptional circumstances outlined in point 2 above. Several M4U policies will be relevant in other circumstances. All policies can be found within the Core Values Booklet issued to every worker and on our website.

1. **RAISING A CONCERN**

It would be best to raise your whistleblowing concern as soon as possible. This will make acting easier and enable any problems to be resolved or reported quickly.

You can make your disclosure orally, but written disclosures are preferable as these will make the process more efficient and effective. In your disclosure, you should:

* provide any relevant context and background, including relevant dates, venues,
* names etc
* state clearly the reason why the situation causes concern

You must say that you are raising your concern using the Whistleblowing Policy and whether you wish to keep your identity confidential. While we will make every effort to deal with your case confidentially, depending on the case circumstances, this may not always be possible. Where this is the case, you will be informed of this and the reasons why it was not possible.

We will consider anonymous disclosures, but we do not encourage them as anonymity often makes it difficult to investigate concerns properly, protect employees, or give feedback on outcomes.

1. **WHO SHOULD I RAISE IT WITH?**

It would be best if you always looked to raise the matter with the Operations & Creative Manager in the first instance. Where this is not appropriate because they may be involved in the alleged malpractice, wrongdoing or illegal acts or omissions in some way, raise your concern with a Trustee (our Chairperson is M4U’s Child & Vulnerable Adult Safeguarding Lead).

If appropriate, the Board of Trustees may arrange for the concern to be investigated externally and independent of M4U and for appropriate follow-up action to be taken.

1. **WHAT HAPPENS IF I RAISE A CONCERN**

Your disclosure will always be acknowledged within three working days.

It will be investigated by the Operations & Creative Manager or Trustee that you raise your concern to. They will arrange to meet you as soon as possible, away from the workplace, if

necessary to enable you to explain your concern, as outlined in point 5 above.

As per point 5 above, we may not always be able to keep your details confidential, but we will always let you know if it is impossible.

You will be told, either at the meeting or as soon as possible afterwards, what action will be taken to address your concern. Where action is not taken, you will be informed and given an explanation. The action taken in response to a disclosure will depend on the nature of the concern.

Typically, the matters raised may result in one or more of the following:

* + no action required
  + action being taken under other M4U policies & procedures
  + an internal investigation under this policy
  + a referral to the police or relevant statutory body
  + a referral to the Charity Commission
  + an independent enquiry

Any M4U Manager or Trustee receiving a potential whistleblowing concern must notify the Board of Trustees immediately that a concern has been raised and inform them of progress in resolving the concern.

1. **RAISING A CONCERN EXTERNALLY**

We strongly encourage you to exhaust the internal processes set out above in the first instance.

In exceptional or urgent circumstances, however, or where, having made a disclosure, you are unhappy with the outcome, you have a legal right to disclose to prescribed bodies.

These include but are not limited to:

* + HM Revenue & Customs;
  + the Health and Safety Executive;
  + the Financial Services Authority;
  + the Office of Fair Trading;
  + the Environment Agency
  + Office of the Scottish Charity Regulator
  + Fundraising Regulator

Like the rights and obligations to the worker, M4U reserves the right to refer to any of the above agencies without your consent.

1. **MAKING A DISCLOSURE TO THE PRESS**

Disclosures to the press will not be considered reasonable and may constitute misconduct. As such, the matter might be treated as a disciplinary matter in accordance with our disciplinary and grievance policy and procedure.

1. **FURTHER HELP & ASSISTANCE**

If, at any stage in the procedure, you are unsure about what to do and would like independent advice, you can discuss your concern with someone at Protect for free, confidential whistleblowing advice 020 3117 2520. This body is an independent charity staffed by lawyers, which offers confidential, free legal and practical advice on how people can raise concerns about malpractice at work.

**CONTACT DETAILS:**

Name: Debra Baxter

Title: Operations & Creative Manager / Child & Vulnerable Adult Protection Officer

Phone: 07904 158972

Email: debra.baxter@m4u.org.uk

**NSPCC Helpline 0808 800 5000**

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| **This Policy was written in line with NSPCC Guidelines.** | |
| **Implemented on** | 28 February 2024 |
| **Reviewed no later than** | 27 January 2025 |

**This policy forms part of Music 4 U’s Core Values and should be read collectively with the following:**

* Anti Bullying Policy
* Child & Vulnerable Adult Protection & Safeguarding Policy
* Child & Vulnerable Adult Protection Reporting Procedure
* Code of Behavior Adults
* Code of Behavior Students
* Comments, Compliments & Complaints Procedure
* Equality & Diversity Policy
* GDPR Policy
* Health & Safety Policy
* Online Safety & Social Media Policy
* Photography & Film Policy
* Whistleblowing Policy

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