



Guidance on making a disclosure under the Whistleblowing Policy

Version 2

Approved by: Board
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1.0 The process

- 1.1 In the vast majority of cases, concerns can be dealt with through an informal discussion with your immediate line manager. However, it is important you come forward with any concerns at an early stage so if you are not comfortable speaking with them, you should speak to Optivo's Whistleblowing Officer in the first instance (see [section 9.0](#)).
- 1.2 The Whistleblowing process should only be used to report serious malpractice and not where existing HR procedures are more appropriate. However, if in any doubt, you are encouraged to come forward with your concerns providing as much information as possible such as:
 - The background/history of the concern
 - Relevant names of officers involved
 - Specific dates and places of events
 - The reason why you are concerned
 - Details of when you first became aware of the matter
 - Extent to which you have witnessed or experienced the problem
 - Any documentary evidence which supports your disclosure.
- 1.3 Any report of potential wrongdoing must always contain information as above and not simply be voicing a concern (i.e. making broad allegations). You can raise your concern at any time about an incident that happened in the past, is happening now or you believe May happen in the future.
- 1.4 Your concern can be raised with any of the whistleblowing contacts listed in [section 9.0](#) in the way most suitable for you i.e. by telephone, in person, email or by letter. You can also raise your concern confidentially by completing the online whistleblowing form which is automatically sent to the Governance Team.
- 1.5 If you are unsure whether your concern should be dealt with under the [Whistleblowing Policy](#), contact the Governance or HR Team for guidance on the most suitable way of taking the matter forward.
- 1.6 Unless submitted anonymously (see [section 8.0](#)), receipt of your concern will be acknowledged in writing within two working days. The acknowledgement will explain how the matter will be handled including referral to other teams (e.g. the HR Team or Safeguarding) for handling under the relevant Policy.
- 1.7 If your concern is to be dealt with under the [Whistleblowing Policy](#), the acknowledgement will outline the support available to you and provide assurance

in terms of confidentiality and protection from possible victimisation or reprisals. All issues brought to Optivo's attention will always be treated seriously, including concerns reported anonymously, although the way in which the matter is dealt with will depend directly on the nature of the allegation.

- 1.8 On occasion it may be necessary for a preliminary enquiry to be undertaken to establish the scope of any further investigation and you may be asked to attend a meeting in order to provide further information.
- 1.9 Optivo will investigate your concerns and interview those about whom the concern/disclosure is made, to gain an objective opinion about the allegations. In some cases, we may appoint an investigator or team of investigators including staff with relevant experience of investigations or specialist knowledge of the subject matter.
- 1.10 We will complete the internal investigative work usually within 15 working days from the date of acknowledgement, but this will depend on the type of investigation needed and the scope of the allegations. If we will not be able to complete the investigation in 15 working days we will let you know and provide an estimate of when it will be completed. The matter may be investigated in a variety of ways, and you will be informed of how it will be dealt with and kept updated of the progress being made.
- 1.11 Concerns or disclosures that fall within the scope of specific procedures (for example Safeguarding Of Vulnerable Adults (SOVA)) will normally be referred for consideration under those procedures. We will inform you if this course of action is to be taken.

2.0 Outcome of the Investigation

- 2.1 Feedback regarding the outcome of the investigation will be provided within 10 working days of its completion by either the Investigating Officer or the Whistleblowing Reporting Officer, including an explanation of any further investigation/action needed. However, the need for confidentiality may prevent you from being given specific details of the investigation or any action taken as a result.
- 2.2 You should treat all information given to you about the investigation as confidential. Whilst Optivo cannot guarantee the outcome you are seeking, your concern will be dealt with fairly and in an appropriate way.
- 2.3 It is of utmost importance that Optivo identifies the lessons learned from each investigation in order to avoid reoccurrence and to hold individuals accountable for inappropriate behaviour. The lessons learned can also help to improve services, policies, procedures and practice across the organisation accordingly.
- 2.4 To aid the process of embedding lessons learned, the key findings and recommendations arising from the investigation are recorded and implementation monitored by the Risk & Audit Committee. Any lessons learnt from staff disciplinary action following a reported whistleblowing will be reviewed by the People, Governance & Remuneration Committee. Optivo's commitment to

learning and dealing with malpractice demonstrates that all feedback is taken seriously, even when anonymous.

- 2.5 If, as a result of the investigation, there is a recommendation for further action, depending on the severity of the case Optivo may use its Disciplinary Policy and procedures, or have recourse to the Police or Courts.
- 2.6 In some cases, no formal action may arise, but the issue may highlight a training or management issue which can be dealt with internally. If the concerns raised are about people not employed by Optivo, these will be dealt with and action taken in the most appropriate manner according to the individual circumstances of the cases.

3.0 Requesting a review of the outcome

- 3.1 If you are not satisfied with the way in which your concern has been handled, you should speak in the first instance to the Whistleblowing Reporting Officer within 10 working days of being advised of the outcome. Alternatively, you may contact the independent whistleblowing charity, Public Concern at Work for advice (see [section 5.0](#)).
- 3.2 There are a number of ways in which further action could be taken dependent on the reason for your dissatisfaction including:
 - Further clarification of the original investigation and findings;
 - A review by a Director not previously involved in the case to review the findings;
 - A follow up internal investigation;
 - The appointment of an external organisation to carry out an independent investigation.
 - You will be informed of any further action to be taken and kept updated of progress.

4.0 Supporting Whistleblowers

- 4.1 Optivo will support any persons raising a concern or making a disclosure who wish to remain anonymous. However, if criminal action is taken and evidence is required in Court, then this may not be possible. It may be necessary for the Investigating Officer to know your identity, but this would always be discussed with you first.
- 4.2 Optivo will support concerned individuals and protect them from harassment, reprisals or victimisation. If an allegation is made on the basis of a genuine concern but is unproven after an investigation, no action will be taken against the person who raised the allegation.
- 4.3 If anyone tries to discourage a person from coming forward to express a concern, we will treat this as a potential disciplinary offence. We will deal with anyone who criticises or victimises a person raising a concern or making a disclosure after such

a concern has been expressed, using the Optivo bullying and harassment at work processes.

5.0 Obtaining Independent Advice

5.1 Optivo strongly encourages you to seek advice before reporting a concern to the media as this may affect your protection under whistleblowing law. The independent whistleblowing charity, Public Concern at Work (PCAW), operates a confidential helpline and has a list of prescribed regulators for reporting certain types of concern:

Public Concern at Work
CAN Mezzanine
7 - 14 Great Dover Street
London
SE1 4YR

Whistleblowing Advice Line:	020 7404 6609
General enquiries:	020 3117 2520
Email advice line:	whistle@pcaw.org.uk
Website:	www.pcaw.org.uk

5.2 The PCAW office is open and the helpline staffed from 9am to 6pm, Monday to Friday, with an answering machine out of hours.

6.0 Raising a concern with an external organisation

6.1 Optivo would always prefer you to raise your concerns internally so that appropriate action can be taken and contact made with the relevant authorities. However, if you feel unable to do so, you should speak confidentially to one of the officers shown at section Optivo or contact Public Concern at Work for advice as to which external organisation you should contact.

7.0 Deliberate, false or malicious disclosures

7.1 The [Whistleblowing Policy](#) applies where a disclosure is made in good faith and where the whistleblower reasonably believes that the information disclosed is substantially true. Providing a disclosure is made with honest intent, no action will be taken against the whistleblower if the claims are not subsequently

substantiated. However, if a whistleblower raises malicious or unfounded concerns, this will be taken seriously and the individual dealt with under Optivo's disciplinary procedure.

8.0 Anonymous reports

8.1 Optivo does not encourage disclosures to be made anonymously, as this may make proper investigation more difficult/impossible if further information cannot be obtained. It is also more difficult to establish whether any allegations are credible. Whistleblowers who are concerned about possible reprisals if their identity is revealed should speak to Optivo's Whistleblowing Reporting Officer and appropriate measures can then be taken to preserve confidentiality.

9.0 Contact details

9.1 Whistleblowing Reporting Officer:

Name: Jo Robinson
Job Title: Optivo Company Secretary
Address: Grosvenor House, 125 High Street, Croydon, CR0 9XP
Email: Jo.Robinson@Optivo.org.uk
Telephone: 0208 726 8608

9.2 Optivo designated Board member for whistleblowing:

Name: David Clifford
Job Title: Chair of Audit & Risk Committee
Email: David.Clifford@Optivo.org.uk

9.3 Confidential advice on whistleblowing can also be sought internally from:

Name: Sharon Ault
Job Title: Director of HR & OD
Address: Colwell House
376 Clapham Road
London
SW9 9AR
Email: Sharon.Ault@Optivo.org.uk

Telephone: 020 3202 3809