



SIR JOHN  
SOANE'S  
MUSEUM  
LONDON

13 LINCOLN'S INN FIELDS  
LONDON WC2A 3BP

TELEPHONE: +44 (0) 20 7405 2107

EMAIL: [admin@soane.org.uk](mailto:admin@soane.org.uk) [www.soane.org](http://www.soane.org)

REG CHARITY NO: 313609

## Whistle-blowing Policy

### Key Points

The Whistle-blowing Policy sets out the framework for dealing with allegations of illegal and improper conduct.

The Museum is committed to the highest standards of transparency, probity, integrity and accountability.

This policy and procedure are intended to provide a means of making serious allegations about standards, conduct, financial irregularity or possible unlawful action in a way that will ensure confidentiality and protect those making such allegations in the reasonable belief that it is in the public interest to do so from being victimised, discriminated against or disadvantaged.

This policy and procedure do not replace other policies and procedures such as the Complaints Policy, the Grievance Procedure or the Safeguarding Policy. The Museum will be introducing a policy for issues relating to Harassment and Bullying but in the meantime any issues relating to this should be dealt with under the Grievance Procedure and not this policy. This policy and procedure are intended to ensure that the Museum complies with its duty under the *Public Interest Disclosure Act 1998*.

### Scope

This policy and procedure apply to all employees, volunteers, freelancers, and contractors.<sup>1</sup>

This procedure does not replace other Museum policies or procedures, as outlined above. For example, if an employee has an issue about their working conditions or, if an employee felt that their manager or a colleague was treating them unfavourably, they should use the *Grievance Procedure*. Similarly, if an employee has a concern about

---

<sup>1</sup> Trustees are covered by the Code of Best Practice for Trustees of Sir John Soane's Museum.

the conduct of a fellow employee (e.g. that they are not treating colleagues with respect) they should raise these with their line manager, or if that is not possible, with their Director, another member of the Senior Management Team or the HR Manager.

This procedure applies to, but is not limited to, allegations or concerns about any of the following:

- Conduct which is an offence or breach of the law
- Alleged miscarriage of justice
- Serious Health and Safety risks
- The unauthorised use of public funds
- Possible fraud and corruption
- Sexual, physical or verbal abuse, or bullying or intimidation of employees, or visitors to the Museum (although see above, it is likely that these issues should be raised through the *Grievance Procedure* or the *Safeguarding Policy*)
- Abuse of authority
- Other unethical conduct

### **Raising a Concern/Making an Allegation**

With whom the whistle-blower should raise their concern will depend on the seriousness and sensitivity of the issues involved and who is suspected of the wrongdoing. The Museum hopes they will feel able to raise it with their line manager. Where the individual does not feel this is an option or a sensible course (for example because the issue may implicate the manager), or if the concern has been raised but remains unaddressed then the whistle-blower may escalate the reporting.

Concerns should normally be raised in the first instance with one of the following, as appropriate:

The Line Manager

The Departmental Director

The HR Manager

The Deborah Loeb Brice Director

The Trustee designated to support staff and liaise with Trustees on HR matters is [REDACTED] and if you feel your concern has not been dealt with appropriately you may contact her via email at [REDACTED]

If, exceptionally, the issue relates to the Deborah Loeb Brice Director, then the concern or allegation should be raised with the Chairman of the Trustees, Lord (James) Sassoon

on [jsassoon@soane.org.uk](mailto:jsassoon@soane.org.uk) or advice may be sought from Vincent Keaveny, who is the Lead Non-Executive Trustee, on [Vincent.Keaveny@cityoflondon.gov.uk](mailto:Vincent.Keaveny@cityoflondon.gov.uk)

Any issues relating to the Board of Trustees should be raised with the Chair in the first instance, if appropriate, or may be raised with the Department for Culture, Media and Sport (our sponsoring central government department) or with the Museum's External Auditor, The National Audit Office. As a Registered Charity the Trustees of SJSM are obliged to report any serious incident to the Charity Commission.

If the Museum fails to deal with concerns raised then the concerns can be reported direct to the Charity Commission, including anonymously. Employees may be protected under the Public Interest Disclosure Act 1998: more information is available on the Charity Commission website.

### **How to raise a concern/make an allegation**

You may raise your concern by telephone, in person or in writing. The earlier you express your concern, the easier it is for the Museum to take action. You will need to provide the following information:

- the nature of your concern and why you believe it to be true;
- the background and history of the concern (giving relevant dates).

Although you are not expected to prove beyond doubt the truth of your suspicion, you will need to demonstrate to the person contacted that you have a genuine concern relating to suspected wrongdoing or malpractice and there are reasonable grounds for your concern.

You may wish to consider discussing your concern with a colleague first and you may find it easier to raise the matter if there are two (or more) of you who have had the same experience or concerns.

The Museum recognises that the decision to make an allegation can be a difficult one to make. However, whistle-blowers who make serious allegations in the reasonable belief that it is in the public interest to do so have nothing to fear because they are doing their duty to the Museum.

The Museum will take appropriate action to protect a whistle-blower who makes a serious allegation in the reasonable belief that it is in the public interest to do so from any reprisals, harassment or victimisation.

The person consulted, after consideration, will discuss with the whistle-blower how the allegation will be investigated or followed up.

### **Action on receipt of a Concern/ Allegation**

The overriding principle for the Museum will be the public interest. In order to be fair to all employees, including those who may be wrongly or mistakenly accused, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take.

Someone making an allegation may be accompanied by another employee of the Museum during any meetings or interviews in connection with the allegation. However, if the matter is subsequently dealt with through another procedure the right to be accompanied will at that stage be in accordance with the relevant procedure.

The person receiving the concern or allegation will record details of the issue gathering as much information as possible, (within 5 working days of receipt of the concern/allegation) including:

- The record of the concern/allegation;
- The acknowledgement of the concern/allegation;
- Any documents supplied by the whistle-blower.

If the allegation relates to fraud, potential fraud or other financial irregularity the Chair of the Museum's Finance and Audit and Risk Committees will be informed within 5 working days of receipt of the allegation. The Chair will determine whether the allegation should be investigated and the method of investigation.

If the allegation discloses evidence of a potential criminal offence, it will immediately be reported to the Chair of Trustees, Board of Trustees and the Deborah Loeb Brice Director, if appropriate, and a decision will be made as to whether to inform the Police.

An investigation may need to be carried out under terms of strict confidentiality, i.e. by not informing the subject of the complaint until (or if) it becomes necessary to do so. In certain cases, however, such as allegations of ill treatment of others, suspension from work may have to be considered immediately. Protection of others is paramount in all cases.

Where appropriate, the matters raised may:

- be investigated by management, internal audit, or through the disciplinary/grievance procedure;
- be referred to the police;
- be referred to the external auditor.

Within 10 working days of a concern being raised, the person investigating the concern will write to the whistle-blower:

- acknowledging that the concern has been received;
- indicating how it is proposed to deal with the matter;
- outlining any support available to the whistle-blower.

The whistle-blower should be assured that their disclosure has been properly addressed.

Unless there are any legal reasons why this cannot be done, the whistle-blower will be kept informed of the progress and outcome of any investigation.

Where the allegation has been made anonymously, obviously the Museum will be unable to communicate what action has been taken.

### **Confidentiality**

All allegations will be treated in confidence and every effort will be made not to reveal a whistle-blower's identity unless the whistle-blower otherwise requests.

The Museum will not, without the whistle-blower's consent, disclose the identity of a whistle-blower to anyone other than a person involved in the investigation/ allegation.

Any further action including the disciplinary process or court proceedings may mean that confidentiality may not be able to be maintained.

### **Anonymous Allegations**

This procedure encourages whistle-blowers to put their name to an allegation wherever possible as anonymous allegations may often be difficult to substantiate/prove. Allegations made anonymously are much less powerful but anonymous allegations may be considered and investigated at the discretion of the Deborah Loeb Brice Director, the nominated Trustee for HR/Safeguarding, the Chair of Trustees or the Lead Non-Executive Trustee, as appropriate.

In exercising discretion to accept an anonymous allegation the factors to be taken into account will be:

- The seriousness of the issue raised;
- The credibility of the allegation; and
- Whether the allegation can realistically be investigated from sources of information other than the complainant.

### **Untrue Allegations**

No disciplinary or other action will be taken against a whistle-blower who makes an allegation in the reasonable belief that it is in the public interest to do so even if the allegation is not substantiated by an investigation. However, disciplinary action may be taken against a whistle-blower who makes an allegation without reasonable belief that it is in the public interest to do so (e.g. making an allegation frivolously, maliciously or for personal gain where there is no element of public interest).

### **Support**

The Museum will take steps to minimise any difficulties which may be experienced as a result of making an allegation or raising a concern. For instance, if a whistle-blower is required to give evidence in criminal or disciplinary proceedings the Museum will arrange for them to receive advice about the procedure and advise on the support mechanisms that are available.

### **Monitoring**

A Register held by the HR Manager, will record the following details:

- The name and status (e.g. employee) of the whistle-blower;
- The date on which the allegation was received;
- The nature of the allegation;
- Details of the person who received the allegation;
- Whether the allegation is to be investigated and, if yes, by whom;
- The outcome of the investigation;
- Any other relevant details.

The Deborah Loeb Brice Director will report annually to the Board of Trustees on the operation of this Policy and Procedure and on any whistle-blowing allegations made during the period covered by the report. The report will be in a form which does not identify whistle-blowers.

The Register will be confidential and only available for inspection by the Board of Trustees. The register together with the annual reports will be available for inspection by internal and external audit, after removing any confidential details.

**End/**