



Land of Joy

Buddhist Retreat Community

Introduction and Background

Whistleblowing refers to the action of an individual who publicly exposes information about perceived wrongdoings within an organisation.

Land of Joy is a charity and operates on a generosity model and does not employ any staff. Hence any whistleblowing is not covered by the Public Interest Disclosure Act which came into force in July 1999 to protect employees against unfair dismissal or being subjected to any other detriment by their employer (such as denial of promotion, pay rise or training) for making disclosures about wrongdoing.

Land of Joy is supported by a team of volunteers both on and offsite. This policy refers to raising concerns, without fear of unwelcome repercussions or personal discrimination regarding raising serious concerns of wrongdoing or risk within the organisation. Regulators, such as the Charity Commission, treat volunteers as potential whistleblowers, recognising the valuable contribution they can make to protecting the public interest, and protecting them in light of the challenges they may face in doing so.

Whistleblowing is not the same as making a complaint or raising a grievance, where the individual is reporting that they have personally been poorly treated. A whistleblower is usually not directly or personally affected by the concern and therefore rarely has a direct personal interest in the outcome of any investigation into their concerns. The whistleblower raises the concern primarily for it to be addressed so others, including the public more generally, are not harmed. It may cover a concern for example that the charity is being defrauded, or someone using the charities resources for their own benefit, or it may be a matter that needs to be addressed under the safeguarding policy such as abuse or neglect of a child or adult at risk, or unsafe health and safety practices that pose a serious risk.

Land of Joy wishes to encourage people to come forward to share their concerns and to create transparency and accountability. This allows for earlier disclosure which may result in the matter being dealt with before it gets too serious or causes reputational damage.

Complaints that count as whistleblowing:

- a criminal offence, for example fraud.
- someone's health and safety is in danger.
- risk or actual damage to the environment.
- a miscarriage of justice.
- the company is breaking the law, for example does not have the right insurance.
- you believe someone is covering up wrongdoing.

Unless a particular case is in the public interest, personal grievances are not covered by whistleblowing law.

Making a protected disclosure under the Whistleblowing Policy, gives an individual the right not to be requested to leave or subjected to any other detriment, or victimised, because they have made a disclosure.

Principles

- Everyone should be aware of the importance of preventing and eliminating wrongdoing at Land of Joy. Members of the team working on behalf of the charity should be watchful for illegal or unethical conduct and report anything of that nature that they become aware of.
- Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation reported back to the person who raised the issue.
- No-one working on behalf of the charity will be victimised for raising a matter of legitimate concern under this procedure.
- If misconduct is discovered as a result of any whistleblowing investigation, Land of Joy policies and procedures will apply, in addition to any appropriate external measures that need to be undertaken.
- Maliciously making a false allegation, or attempting to cover up or advising another person to cover up wrongdoing, will be regarded as a serious matter and Land of Joy policies will apply accordingly.

Procedure

1st Stage: Raising the matter as soon as you are aware of a concern may avoid the problem escalating. It gives the opportunity to rectify the matter before they become more serious.

Any concerns should be raised with the director or person covering this role, who will look into the matter and commence an investigation if the matter meets the threshold of this policy. The investigation may involve you and other individuals involved giving a written statement. Any investigation will be carried out in accordance with the principles set out above.

Your statement will be taken into account, and you will be asked to comment on any additional evidence obtained. The director will take any necessary action to address the matter promptly and make any remedial response, as well as reporting the matter to the chair and board of trustees and any appropriate government department or regulatory agency. On conclusion of any investigation, you will be told the outcome and what the charity has done, or proposes to do, about it. If no action is to be taken, the reason for this will be explained.

Stage 2: You should escalate the matter to the chair of the board of trustee if you are concerned that the director:

- is involved in the wrongdoing
- has failed to make a proper investigation
- or has failed to report the outcome of the investigations to the relevant person.

The chair will arrange for a review of the investigation to be carried out, make any necessary enquiries and make their own report to the board.

Stage 3: If on conclusion of stages 1 and 2 you reasonably believe that the appropriate action has not been taken, you should report the matter to the relevant body. This includes:

- FPMT UK co-ordinator and/or FPMT Centre Services
- HM Revenue & Customs
- The Health and Safety Executive
- The Environment Agency
- The Serious Fraud Office
- The Charity Commission
- The Pensions Regulator
- The Information Commissioner
- The Financial Conduct Authority
- The Competition and Markets Authority
- The Independent Office for Police Conduct

You can find the full list in [The Public Interest Disclosure \(Prescribed Persons\) Order 2014](#) (PDF).

Data protection

When an individual makes a disclosure, Land of Joy will process any personal data collected in accordance with the [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.

Reviewed and agreed 7.11.23