

Whistleblowing Policy



LEVER LAW
SOLICITORS

Whistleblowing Policy

1. POLICY STATEMENT

We are committed to the highest standards of integrity, honesty, openness and accountability and we expect all staff to maintain the same high standards. As part of that commitment, we would encourage you to disclose any serious concerns you may have about the Practice in accordance with this policy. The Practice hopes that you will feel able to raise any such concern internally and be confident that it will be dealt with properly and that all reasonable steps will be taken to protect you from victimisation.

The aims of this policy are:

- (a) To encourage staff to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected.
- (b) To provide staff with guidance as to how to raise those concerns.
- (c) To reassure staff that they should be able to raise genuine concerns in good faith without fear of reprisals, even if they turn out to be mistaken.

2. SCOPE

This policy applies to all individuals working at all levels of the organisation, including senior managers, officers, directors, employees, consultants, contractors, trainees, home workers, part-time and fixed-term workers, casual and agency staff and volunteers (collectively referred to as **staff** in this policy).

3. WHAT IS WHISTLE BLOWING?

The Public Interest Disclosure Act 1998 (“the PIDA”)

The PIDA states that individuals who make qualifying disclosures of information (*blow the whistle*) in the public interest have the right *not to suffer detriment by any act or omission of their employer because of the disclosure*.

A qualifying disclosure is one which, in the reasonable belief of the member of staff, suggests that one or more of the following has been, is being, or is likely to be committed:-

- a criminal offence;
- a failure to comply with any legal obligation;
- a miscarriage of justice;
- danger to the health and safety of any individual;



- damage to the environment;
- bribery or
- the deliberate concealment of any of the above matters.

The PIDA protects you in making a disclosure to your employer where the disclosure meets the requirements set out above and is made in good faith.

The Solicitors Regulation Authority (“SRA”)’s Code of Conduct 2011 Chapter 10

The Code also requires the Practice and / or any individual working at the Practice to:-

- notify the SRA promptly of any material changes to relevant information about the Practice and / or any individual working at the Practice, including serious financial difficulty, action taken against the Practice, any individual working at the Practice by another regulator and serious failure to comply with or achieve the Principles, rules, outcomes and other requirements of the Handbook;
- report to the SRA promptly, serious misconduct by any person or firm authorised by the SRA, or any employee, manager or owner of any such firm (taking into account, where necessary, the duty of confidentiality to your client owed by the Practice and / or any individual working at the Practice.

4. MAKING QUALIFYING DISCLOSURES

If any of our Staff believe that a qualifying disclosure may have taken place the Staff member should immediately report the matter to the firm’s managing director. All Staff are reminded that the process is confidential and will be dealt with discreetly. If the Staff member does not feel comfortable raising the matter with the firm’s managing director or another Director of the firm, then the matter should be raised with the SRA as discussed below. Again, if the Staff member is dissatisfied with the outcome of the firm then they are encouraged to speak directly with the SRA as highlighted below.

5. INDEPENDENT ADVICE

If you want free, confidential advice on what is protected by PIDA and how best to raise your concern, you can contact for example, the independent charity, Public Concern at Work on 020 7404 6609, <https://www.pcaaw.co.uk>



6. EXTERNAL REPORTING

If you are worried about something at work, it may be that you are concerned about something that is relevant to the functions of the SRA. If you have disclosed your worry internally and you are concerned either by the response or lack of response, or if you feel unable to talk to anyone internally for whatever reason, you can contact the SRA. PIDA protects you if you contact the SRA where:

- you satisfy the test for speaking to your employer (see above);
- you reasonably believe the information and any allegations in it are substantially true; and
- you reasonably believe the SRA is responsible for the issue in question.

SRA Contact Details: depending upon the stage and nature of your concerns are as follows:

- contactcentre@sra.org.uk (anyone unsure where to report to in the first instance)
- professional ethics helpline: 0870 606 2577 (a solicitor requiring guidance)
- redalert@sra.org.uk, 0845 850 0999 or 01926 439 673 (if fraud is suspected)
- or write to: SRA, Ipsley Court, Berrington Close, Redditch B98 0TD or DX 19114 Redditch

This policy does not form part of any employee's contract of employment and may be amended at any time.





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