

WHISTLEBLOWING (PUBLIC INTEREST DISCLOSURE) POLICY

Approved by the Board of Trustees: March 2025

Date of next review: March 2028 (every 3 years)

1. Introduction

Tate is committed to maintaining the highest levels of honesty and integrity amongst its workforce and takes very seriously any form of malpractice or wrongdoing. To support this, Tate has a Code of Conduct which sets out the standards expected from all who work at Tate.

The aims of this policy are:

- To encourage staff to report suspected wrongdoing as soon as possible in the knowledge that their concerns will be taken seriously
- To provide staff with guidance on how to raise their concerns
- To reassure staff that they should be able to raise concerns without fear of reprisals, even in instances when their concerns are mistaken, provided that these concerns are raised in good faith, with genuine intent and sincerity.

Who does this policy apply to?

- Employees
- Contractors and sub-contractors
- Agency staff
- Casuals
- Consultants and freelancers
- Interns
- Students
- Volunteers

What is whistleblowing?

Whistleblowing is the disclosure of information which relates to suspected serious wrongdoing such as a breach of legal, statutory or regulatory requirement, as well as unethical or immoral behaviour. This may include:

- Financial misconduct including bribery and fraud
- A criminal offence that has been committed, is being committed or is likely to be committed);
- Sexual exploitation, abuse or harassment*
- Dangerous practices at work including health and safety concerns that could cause harm to employees or the public ;
- An act causing damage to the environment;
- Abuse of a position of power, unethical conduct or breach of professional obligations
- A failure to comply with any legal obligations or regulatory requirements
- A miscarriage of justice; Concealment of any of the above;

If you have a genuine concern relating to any of the above, you should report it under this policy.

*Incidents of sexual exploitation, abuse or harassment will be managed through the Safeguarding Policy which has more detailed guidance for the response and management of safeguarding incidents. The protections of the Whistleblowing Policy will still apply to all staff who report concerns or act as witnesses in a safeguarding investigation

Protected disclosures

The Public Interest Disclosure Act 1998 (PIDA) offers protection for employees or workers who raise legitimate concerns in the public interest. PIDA specifically makes it illegal to subject a worker to negative treatment, such as victimisation, prejudice to opportunities for promotion or training, or dismissal because they have raised a whistleblowing concern in good faith.

Raising a whistleblowing concern:

Tate wants to support a culture of openness, transparency, trust and integrity where all those working at Tate feel confident in raising concerns. It is therefore important that any fraud, misconduct or wrongdoing by employees, workers or officers of Tate is reported and dealt with properly.

Please note that if the concern is of a personal nature and not in the public interest, for example: bullying, harassment or a breach of employment contract, this should be raised as a grievance under the relevant grievance resolution procedure for Tate Enterprises Limited or Tate Gallery. However, if a concern appears individual in nature but also indicates wider wrongdoing, systemic concerns, or organisational misconduct (e.g., cover-ups, conspiracies, or a culture of malpractice), it may still be considered under this whistleblowing policy.

2. Procedure for Internal Disclosure

As soon as you become reasonably concerned about a matter, you should report it to the designated person, who is the Chair of the Audit Committee, via whistleblowing@tate.org.uk.

Once a concern has been raised a decision will be taken about whether an investigation should be carried out and who is the most appropriate person to undertake the investigation. If it is determined that an investigation is required you will be informed of this, notified who will be carrying out the investigation, the timescale for completing the investigation and kept updated on progress. Appropriate support will be provided to all those who are involved in the investigation process.

You will be permitted to be accompanied by a Trade Union representative or work colleague to any meeting to discuss your disclosure.

On conclusion of any investigation, you will be told the outcome of the investigation and what has been done or will be done to address the concerns raised. Please note, that we may not be able to tell you about the precise actions we take where this would infringe a duty of confidence we owe to another person.

If no action is to be taken, the reason for this will be explained. If you are not satisfied with the outcome of the investigation, you should submit a written request for a review of the investigation outcome within 14 days of receiving the decision, specifying the grounds for appeal, to the Chair of the Board who will arrange for the decision to be reviewed by another appropriate manager.

If under investigation the disclosure is found to be unsubstantiated, the person who raised the concern will still be protected under Tate's Whistleblowing Policy. If the person making the disclosure does so in bad faith, with malicious or vexatious reasons, then they will not be protected under the Whistleblowing Policy and their complaint may result in disciplinary action.

Where there is no evidence of malpractice or misconduct, but you held a genuine concern and were not acting maliciously, Tate will ensure your protection from retaliation or victimisation.

Where there is evidence that you have made false allegations with malicious intent this may result in disciplinary action under Tate's Disciplinary Procedure.

3. Procedure for External Disclosure

If you feel you have exhausted the processes for making an internal disclosure and still remain dissatisfied that the concern you have raised has not been addressed appropriately you should refer this to an appropriate external body. A list of prescribed external bodies is available on the [Direct.gov website](#). Prescribed external bodies are mainly regulators and professional bodies but include other persons and bodies such as MPs.

Whilst internal disclosure is encouraged at all times, it is recognised that there may be exceptional circumstances when a person may be of the view that reporting an issue to an external body is appropriate rather than first going through an internal disclosure process. The circumstances in which this would apply is if you had grounds to believe that your employer would cover up the wrong doing if you told them about it or that you felt you would be treated unfairly if you complained.

If you are contemplating making an external disclosure, you are strongly advised to first seek further specialist guidance from professional or other representative bodies (see list below).

Tate recognises that staff may, after taking account of advice, wish to continue to raise their concerns using other avenues. These might include the media or social media. If you are considering doing this you should be aware of your duty of confidence to Tate as your employer and that unauthorised disclosure of information may be a disciplinary offence.

If you are unsure about whether to use this policy or require independent advice at any stage, you may contact:

- Your trade union representative
- A dedicated whistleblowing line from Tate's Employee Assistance Programme which can be contacted on Freephone: 0800 1116 390. This is a confidential Freephone Whistleblowing line available 24/7. Calls are answered by trained professionals where possible (between 8:30am and 8pm Monday to Friday). Calls outside of these hours are recorded on a secure dedicated voicemail facility.
- The independent charity *Protect*, which can be contacted on 020 3117 2520, or <https://protect-advice.org.uk/>
- Advisory, Conciliation and Arbitration Service (ACAS) - www.acas.org.uk

4. Monitoring of this Policy

A record will be maintained by the Director of People on all concerns that are raised under this procedure. These will be reported on an annual basis to the Audit Committee. Please note that this policy is not contractual.

Further Guidance

[Employee Guide – How to raise a Grievance](#) (Tatenet)
<https://protect-advice.org.uk/>
www.gov.uk/whistleblowing
www.acas.org.uk