

Whistleblowing Policy

Date of next formal review, March 2022

PartnershipProjects

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Guidance for Reader

Policy Conjunction

PartnershipProjects' Whistleblowing Policy policy is in line with the principles of Working Together to Safeguard Children (2018) statutory guidance and the Department of Health's 'No Secrets' – guidance on developing and implementing multi agency policies and procedures to protect vulnerable adults from abuse. This policy is written in conjunction with PartnershipProjects' Complaints Policy.

Policy Legislation

The policy is in accordance with government guidance set out in 'Whistleblowing for Employees' and the Public Interest Disclosure Act 1998 ("PIDA"). All suspicious and actual allegations of abuse will be taken seriously and responded to swiftly and appropriately in accordance with government legislation - [Advice on whistleblowing](#) and with the relevant Local Safeguarding Children Partnership guidance and procedures.

The [NSPCC whistleblowing helpline](#) is available for staff (including volunteers and associates) who do not feel able to raise concerns regarding safeguarding matters internally. Staff can call 0800 028 0285 – line is available from 8:00 AM to 8:00 PM, Monday to Friday and email: help@nspcc.org.uk

Advice is also available from [Protect](#) - formerly known as Public Concerns at Work (PCAW) who provide free, confidential whistleblowing advice on 0203 1172520

Policy Availability

The Whistleblowing Policy is available in hard copy upon request.

It is PartnershipProjects' policy to ensure that staff who act in good faith and in compliance with the law are protected from interference in, or retaliation for, reporting improper actions and for co-operating with subsequent investigations or proceedings.

1. Introduction

The reporting of workplace concerns is commonly known as 'whistleblowing' or 'making a disclosure in the public interest.'

Where any staff member has a concern that might fall within the scope of this document, they are encouraged to report the matter to the Designated Safeguarding Lead as appropriate.

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This policy applies to all staff (including volunteers or associates) providing services on behalf of PartnershipProjects.

This policy is intended to encourage and enable staff to raise serious concerns within PartnershipProjects, by setting out the process to make a disclosure under the Public Interest Disclosure Act 1998.

PartnershipProjects accepts that some staff may prefer to do this in a confidential way to avoid any public disclosure of their identity. This policy makes it clear that staff can raise concerns of illegal or improper conduct without fear of victimisation, subsequent discrimination or disadvantage.

This policy does not form part of any contract of employment or contract for services and it may be subject to change, withdrawal or replacement at any time.

2 Aims and Scope

Staff are encouraged to report any concerns they may have about any aspect of the PartnershipProjects' service, the conduct of PartnershipProjects staff, or any other member of staff acting on behalf of PartnershipProjects.

In the first instance, the concerns should be reported to the Designated Safeguarding Lead. If the concerns are in relation to the Designated Safeguarding Lead, these should be reported to the Safeguarding Director. Any concerns in relation to the Safeguarding Director, should be made to one of the senior management members of the Local Authority where PartnershipProjects' registered office is located ([named at Appendix A](#)).

This policy is not intended to deal with

- Complaints relating to a person's own personal circumstances as an employee of the PartnershipProjects, such as matters relating to their own terms and conditions, the way they have been treated at work, or about personal differences or conflicts. In these cases, these should be referred to PartnershipProjects' Complaints Policy or Grievance Procedure.
- Complaints about any third-party organisation or about another member of the public

This policy aims to:

- Encourage staff to feel confident in raising serious concerns of illegal or improper conduct, and to question and act upon concerns about practice.
- Provide staff with a mechanism to raise those concerns and to be told of any action taken to address concerns.

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- Ensure that staff have received a response to their concerns and that they are aware of how to pursue these if they feel that the internal processes have not been successful.
- Reassure staff that they will be protected from possible reprisal or victimisation if they have a reasonable belief that they have made any disclosure in good faith.

Staff should report anything that:

- makes them feel uncomfortable in terms of known standards, their experience, or the standards they believe PartnershipProjects subscribes to;
- is against the PartnershipProjects' policies and procedures;
- falls below established standards of practice; or
- amounts to improper conduct

If staff become aware of information which suggests that any member of staff (or volunteer or associate) has;

- behaved in a way that has harmed, or may have harmed a child;
- possibly committed a criminal offence against children, or related to a child;
- behaved towards a child or children in a way that indicates they may pose a risk of harm to children;
- behaved or may have behaved in a way that indicates they may not be suitable to work with children;

they should follow PartnershipProjects' Managing Allegations Against Staff Policy.

Qualifying Disclosures

The law provides protection for staff who raise legitimate concerns about specified matters. These are called "qualifying disclosures". This policy is not designed to replace or be used as an alternative to PartnershipProjects' Complaints Policy or Grievance Procedure.

A qualifying disclosure is one made in the public interest by a staff member who has a reasonable belief that one of the following is being, has been, or is likely to be committed:

- a criminal offence;
- a miscarriage of justice;
- an act creating risk to health and safety;
- an act causing damage to the environment;
- unauthorised use of public funds;
- an act of fraud or corruption;
- Sexual or physical abuse of pupils;
- a breach of any other legal obligation; or
- concealment of any of the above;

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Protected Disclosures

PartnershipProjects is committed to good practice and high standards and wants to be supportive of staff. Any disclosure of information as detailed above will only be a protected disclosure if it is made in the reasonable belief of the staff member that the disclosure is **in the public interest**.

No staff member who uses this procedure in the reasonable belief that the disclosure is in the public interest will be penalised for doing so. A staff member has the right not to be subjected to a detriment by any act or deliberate omission by another staff member employed (or working on behalf of) PartnershipProjects because he or she has made a protected disclosure.

PartnershipProjects recognises that you may wish to seek advice from, and be accompanied by, your trade union representative when disclosing a concern under this code. It acknowledges and endorses the role that a trade union representative providing advice and/or making a disclosure of information on behalf of one of their members in accordance with this code will not suffer detriment in their employment with PartnershipProjects.

PartnershipProjects will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect staff when they raise a concern that they believe is in the public interest to disclose.

In the absence of any reasonable belief any staff member that is found to have made an allegation frivolously, maliciously or for personal gain may be subject to disciplinary procedures.

Confidentiality and Anonymous allegations

A concern reported under this policy will be treated confidentially. Unless the staff member agrees, their identity will not be disclosed by PartnershipProjects in dealing with their concern within this policy.

However, this policy encourages staff to put their name to allegations whenever possible. Concerns expressed anonymously will be considered at the discretion of PartnershipProjects.

In exercising this discretion, the factors to be considered will include:

- The seriousness of the issues raised.
- The credibility of the concern.
- The likelihood of confirming the allegation from attributable sources.

In the event of a concern disclosing alleged criminal activity, the staff member may be asked to help the police or other appropriate enforcement agency. In the event of disciplinary action taken by PartnershipProjects, the staff member may be asked to give evidence under PartnershipProjects' disciplinary procedure.

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Untrue Allegations

If a staff member reasonably believes that the claim was made in the public interest, but the claim is not confirmed following investigation, no action will be taken against the staff member. However, maliciously making a false allegation is a disciplinary offence. If a claim is made frivolously, maliciously or for personal gain, then disciplinary action may be taken against the staff member in the absence of any reasonable belief.

3 How to Raise a Concern

As a first step, staff should raise concerns with the Designated Safeguarding Lead. This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. For example, if the staff member believes that the Designated Safeguarding Lead is involved, they should approach the Safeguarding Director. If the complaint is in relation to the Safeguarding Director, then one of the individuals identified at [Appendix A](#) should be contacted in the first instance. The earlier a concern is expressed, the easier it is to act.

As the statutory protections for whistleblowers only apply in certain prescribed circumstances, staff are strongly encouraged to seek advice before making an external disclosure. If an external disclosure is made to an external body or agency, there may be a requirement for the staff member to demonstrate why they thought the internal PartnershipProjects' procedure was not appropriate. As a member of staff of PartnershipProjects, disclosing concerns externally, even in good faith, without first attempting to report internally, may result in disciplinary action being taken against you.

Staff are reminded that they must not disclose personal, sensitive, confidential, or otherwise protected information to any person who is not authorised to receive it. As a member of staff of PartnershipProjects, unauthorised disclosure of such information may result in disciplinary action being taken against you.

If, as a consequence of a staff member's complaint, information is published which turns out not to be true and which has the potential to damage another person's interests or reputation, there is a risk that they could be sued for defamation. Where it is clearly in the public interest for information to be brought out into the open immediately (even though it is untested and may ultimately turn out to be untrue or incorrect) a legal defence called "qualified privilege" is available. Concerns reported in good faith under this policy within PartnershipProjects will normally be covered by this defence. However deliberate false statements will not.

If a staff member is not a member of a trade union and/or they wish to obtain confidential advice about making a disclosure from an independent source, there is a charity called [Protect](#) (formerly known as PCAW) that can be contacted on 0203 1172520 – info@protect-advice.org.uk.

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In the case of a concern being raised through the Director for Safeguarding, depending on the nature of the concern, the complainant will need to demonstrate that there are reasonable grounds for their concern. Concerns may be raised verbally or, preferably, in writing. Staff who wish to make a written report are invited to use the following format:

- The background and history of the concern (giving relevant dates).
- The reason why they are particularly concerned about the situation.
- Why they think this concern is in the public interest to disclose

Staff may wish to consider discussing their concern with a colleague or trade union representative before making a disclosure and may find it easier to raise the matter if there are two (or more) who have had the same experience or concerns. However, they should each make a separate and individual disclosure and should then not discuss the matter further between themselves.

Staff have the right to invite a trade union representative, or a work colleague, to be present during any meetings or interviews about the concerns that they have raised.

4 How PartnershipProjects will respond

Where concerns raised under this policy are referred to the Director for Safeguarding, they will seek appropriate HR / legal advice as required. The reported matter may:

- be investigated by management, or through the disciplinary process.
- be referred to the police.
- be referred to an external auditor
- form the subject of an independent inquiry
- be investigated by an independent investigating officer, appointed on behalf of PartnershipProjects.

Where concerns have been raised with any other party, appropriate action will be taken, in order that the concerns are dealt with in the most efficient manner. To protect individuals and those accused of illegal or improper conduct, initial enquiries will be made to decide whether an investigation of any kind is appropriate and, if so, what form it should take.

Concerns or allegations which fall within the scope of specific policies or procedures (for example, Safeguarding or Managing Allegations Against Staff), will normally be referred for consideration under those procedures.

Some concerns may be resolved by action undertaken by the Board of Directors without the need for investigation. If urgent action is required, this will be taken before any investigation is conducted.

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It may be that the person that is dealing with the concern, may wish to meet with the person that has made the disclosure, to clarify certain details. Where any meeting is arranged as part of this procedure, the employee's trade union representative or work colleague may attend the meeting.

Within 10 working days of the date of the disclosure, the party dealing with the concern(s) will write to the complainant and, where possible, will provide the information below where this is available:

- Acknowledging that the concern has been received.
- Indicating how the matter is to be dealt with.
- Giving an estimate of how long it will take to provide a final response, telling the complainant whether any initial enquiries have been made.
- Telling the complainant whether further investigations will take place and if not, why not.

The amount of contact between the persons considering the issues and the complainant will depend on the nature of the matters raised, the potential difficulties involved, and the clarity of the information provided. If necessary, the Director for Safeguarding may seek further information from the complainant.

Where a concern is disclosed about wrongdoing or harm to children, young people and/or vulnerable persons, PartnershipProjects will refer the matter for investigation by a person with sufficient and appropriate independence, experience and expertise in such matters to be able to adequately investigate the concern raised. Where appropriate it may be necessary to report the matter to the LADO (Local Authority Designated Officer) and/or the relevant Local Authority's Children or Adults Social Care Service. PartnershipProjects will take steps to minimise any difficulties that complainants may experience because of raising a concern. For instance, if they are required to give evidence in criminal or disciplinary proceedings, PartnershipProjects will arrange for advice on the process to be given.

PartnershipProjects accepts that the complainant expects to be assured that the matter has been properly addressed. The relevant party, subject to any legal constraints and Data protection, will inform them of the outcome of any investigation that may take place.

Please note, complainants will not be given any information regarding possible sanctions against any staff member that they have complained about.

5 How the matter can be taken further

This policy is intended to provide staff with a way within PartnershipProjects to whistleblow concerns. PartnershipProjects hopes staff will be satisfied with any action taken. If they are not, and feel they wish to take the matter outside PartnershipProjects, the following are possible contact points:

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- The Audit Commission (confidential reporting for suspected fraud)
- Your trade union
- Your local Citizens Advice Bureau
- Relevant professional bodies or regulatory organisations
- A relevant voluntary organisation
- The Police

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Appendix A Contact Details for reporting Whistleblowing Concerns

Persons who may be contacted for advice on making a confidential complaint or allegation

Designated Safeguarding Leads:

Name: Rachael Aylmer Jackie Lindeck

Email: rachael@partnershipprojectsuk.com jackie@partnershipprojectsuk.com

Telephone: 079 8313 3258 078 5545 4386

Safeguarding Director:

Name: Gabrielle Stirling
Email: gabrielle@partnershipprojectsuk.com
Telephone:

If your complaint/allegation regards the Safeguarding Director, you can contact any of the following people independently:

Local Authority Designated Officer (LADO) for Bournemouth, Christchurch and Poole

Email: lado@bcpcouncil.gov.uk
Tel: 01202 456744

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Appendix B Template Form for Whistleblowing

Making a public interest disclosure (whistleblowing)

This form is intended for use by any individual working for PartnershipProjects (including contractors, agency staff and volunteers) who wish to raise an issue about alleged wrongdoing.

This form should be used to report wrongdoing within PartnershipProjects (for example, financial irregularities or health and safety concerns), rather than to raise a personal grievance (for example, if you would like to make an allegation of bullying or harassment or are complaining that your contract of employment has been breached).

If you are unsure about whether your concerns are best dealt with under PartnershipProjects' whistleblowing policy, please read the Complaints Policy, Grievance Procedure and Managing Allegations Against Staff Policy. If, having read all of these, you remain unsure about which procedure to use, please consult the Director for Safeguarding / Managing Director / LADO for Bournemouth, Christchurch and Poole.

Once you have submitted this form, PartnershipProjects' whistleblowing policy will be invoked. This may result in an investigation, which will not involve anyone (for example, your line manager) you may have implicated below.

In certain circumstances, you can request that your concerns be kept anonymous. Where possible, PartnershipProjects will respect a request for anonymity, but cannot guarantee that it will be able to do so.

This form should be completed and delivered to the Director for Safeguarding in an envelope marked "confidential" or sent as an email attachment with "confidential" in the subject line

Name:

Job Role:

Area of Service:

Date: