

# Whistle-Blowing Policy



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## 1. Introduction

- 1.1. Christadelphian Care Homes (CCH) are committed to a high standard of care, honesty, openness and decency in all our activities.
- 1.2. We wish to encourage colleagues to raise concerns in a professional way to ensure good practice in all our activities. It is recognised that resident safety must always come first, and whilst it can be difficult for colleagues to raise concerns about the practice of others, including managers, the implications of not raising those concerns are potentially very serious for us, our colleagues and most importantly for our residents.
- 1.3. It is important that any fraud, misconduct or wrongdoing by colleagues or others working on behalf of CCH is reported and properly dealt with. All colleagues have a duty to raise concerns regarding wrongdoing or malpractice. This policy provides the means of ensuring that colleagues can confidentially raise genuine concerns of malpractice and/or misconduct through appropriate means at the earliest point, without fear of reprisal.
- 1.4. We encourage a free and open culture in our dealings with all colleagues and all people with whom we engage in business and legal relations. In particular, we recognise that effective and honest communication is essential if any wrongdoing or malpractice is to be effectively dealt with.
- 1.5. We will ensure that we follow not only the law on whistle-blowing but also best practice and guidance from regulatory bodies. In this policy whistle-blowing refers to a member of staff who raises a concern about something they have seen first-hand at work in relation to malpractice or wrongdoing.
- 1.6. This policy does not form part of your contract of employment and may be amended at any time.

## 2. Qualifying Disclosures

- 2.1. The Public Interest Disclosure Act 1998 provides protection for workers who raise legitimate concerns about specified matters in the public interest. These are called “qualifying disclosures”. A qualifying disclosure is one made by an employee who has a reasonable belief that:
  - 2.1.1. a criminal offence;
  - 2.1.2. a miscarriage of justice;

- 2.1.3. an act creating risk to health and safety;
  - 2.1.4. an act causing damage to the environment;
  - 2.1.5. a breach of any other legal obligation; or
  - 2.1.6. concealment of any of the above;
- 2.2. Is being, has been, or is likely to be, committed. It is not necessary for colleagues to have proof that such an act is being, has been, or is likely to be, committed - a reasonable belief is sufficient. It is CCH's responsibility to ensure that an investigation takes place.

### 3. Reporting your concern

- 3.1. This procedure is for disclosures about matters other than a breach of your own contract of employment, which should be raised via the Grievance Procedure.
- 3.2. If appropriate you may report the matter informally to your line manager first. This may be in writing or a verbal discussion. If the line manager cannot deal with it, they will take it to the Home Manager.
- 3.3. Where the matter is deemed to be of a serious nature, or remains unresolved after raising it informally, you should follow the below steps.
- 3.4. **Stage One**
  - 3.4.1. If you have a concern about a risk, malpractice or wrongdoing at work, it is hoped that you feel able to raise it first with your Home Manager or the Registered Manager. This may be done verbally or in writing. We would advise you to raise the concern as soon as it arises.
  - 3.4.2. The Home Manager or Registered Manager will conduct a full investigation of the matter. The investigation may involve colleagues and any other individuals involved giving a written statement. You may be asked to comment on any additional evidence obtained.
  - 3.4.3. Any necessary action as a result of the investigation will be taken by the Home Manager, this may include reporting the matter to the Managing Director, Trustees or any appropriate regulatory agency. The Home Manager will also invoke any disciplinary action required.
  - 3.4.4. On conclusion of any investigation, you may be informed the outcome and what we have done, or propose to do, about it. We will only give you a summary of the proposed or taken action if needed to maintain confidentiality of other colleagues. If no action is to be taken, the reason for this will be explained.

3.4.5. Where possible the concerns raised will be treated confidentially. The Home Manager will inform you if they cannot keep the concern confidential.

### 3.5. **Stage Two**

3.5.1. If you are concerned that the Home Manager is involved in the wrongdoing or has failed to take the matter seriously you should escalate the matter to a suitable director.

3.5.2. The director will review the action previously taken by the Home Manager, make any further enquiries and take any necessary action.

3.5.3. We will continue to be keep you informed about any further investigation or action taken.

### 3.6. **Stage Three**

3.6.1. If on conclusion of both Stages One and Two you reasonably believe that appropriate action has not been taken, you should report your concern to the relevant body.

3.6.2. A full list of relevant bodies can be found in The Public Interest Disclosure (Prescribed Persons) Order 2014: <https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2/whistleblowing-list-of-prescribed-people-and-bodies>

## 4. **Timescales**

4.1. Upon a concern being formally reported to any of the above persons mentioned above we will endeavour to respond to you within 15 working days of the wrongdoing being raised.

4.2. Where it is necessary for more time to be taken to ensure any investigations are completed thoroughly you will be informed of the delay and the likely date of completion.

4.3. A record of information given and details of the proceedings will be kept by the HR Department in a secure location.

## 5. Disciplinary Action

- 5.1. You will never be disciplined for raising a genuine concern under this procedure. This means that your continued employment and opportunities for future promotion or training will not be prejudiced because you have raised a legitimate concern.
- 5.2. Victimisation of an individual for raising a qualified disclosure will be a disciplinary offence.
- 5.3. All whistle-blowing concerns will be investigated. However, if a member of a staff is found to have maliciously made a false allegation this will be dealt with under CCH's Disciplinary Policy.
- 5.4. If misconduct is discovered as a result of any investigation under this procedure our disciplinary procedure will be used, in addition to any appropriate external measures.
- 5.5. An instruction to cover up wrongdoing is itself a disciplinary offence. If told not to raise or pursue any concern, even by a person in authority such as a manager, colleagues should not agree to remain silent. Instead, colleagues should report the matter using the procedure outlined above.