



Style Acre's Whistleblowing Policy and Procedures

Introduction

We treat everyone with trust and respect and expect the same back for the organisation in return. Style Acre encourages a free and open culture in dealings between its managers, employees, and all people with whom it engages in relation to its service. In particular, the organisation recognises that effective and honest communication is essential if concerns about breaches or failures are to be effectively dealt with and the organisation's success ensured. Speaking up about any concern you have at work is vitally important because it will help organisations, as well as the people we support and employees. You may feel worried about raising a concern, and this is understandable, which is why when such matters are raised, they are dealt with using the most confidential and discrete approaches, so please do not be put off in raising any concern you may have.

Purpose

This policy and procedure are designed to provide guidance to all those who work with or within the organisation who may from time to time feel that they need to raise certain issues relating to the organisation with someone in confidence.

Scope

For a concern to be covered by whistleblowing law, which can include disclosures being 'protected' an employee who makes a disclosure must reasonably believe two things:

They are acting in the public interest. This means that personal grievances and complaints are usually not covered by whistleblowing law.

An employee must reasonably believe the disclosure tends to show past, present, or likely future wrongdoing falling into one or more of the following categories:

- Unsafe care or working conditions
- Lack of or poor response to concerns raised about the safety of the people we support - including failure to investigate claims
- A bullying culture across a team or the organisation
- Criminal offences (this may include, for example, types of financial impropriety such as fraud)
- Failure to comply with an obligation set out in law
- Miscarriages of justice
- Endangering of someone's health and safety
- Damage to the environment
- Covering up wrongdoing in the above categories

Whistleblowing law is in the Employment Rights Act (1996) and as amended by the Public Interest Disclosure Act (1998). There will be no adverse consequences for an employee who raises a concern in accordance with this policy unless the concern was raised with malicious intent. The Public Interest Disclosure Act (1998) makes it unlawful to dismiss, discipline or victimise an employee who "blows the whistle".

If the concerns raised do not meet the requirement to be a qualifying disclosure, individuals should raise their concerns under the organisation's grievance policy and procedure. Where a concern is raised under the whistleblowing policy



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where it is not appropriate to do so, i.e. it relates to a personal grievance, the receiving manager will confirm that the matter will be addressed under the grievance policy.

There may be incidents in which you are inadvertently involved or which you overhear or observe, which give you cause for concern about standards or other inappropriate conduct. If ever there is any concern, please discuss with your Line Manager, or another member of the management team without delay.

Style Acre believes that an employee should report any significant concern they may have about any aspect of service provision, or the conduct of employees, or any other matter without fear of victimisation.

This policy will be reviewed on a regular basis and in line with any changes and updates to relevant legislation.

Principles

Style Acre will treat all such disclosures in a confidential and sensitive manner. The identity of the individual making the allegation may be kept confidential so long as it does not hinder or frustrate any investigation. However, the investigation process may reveal the source of the information and the individual making the disclosure may need to provide a statement as part of the evidence required.

This policy encourages individuals to put their name to any disclosures they make. Concerns expressed anonymously are much less credible, but they may be considered at the discretion of the organisation. 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.

Terms

Whistleblowing is the term used when an employee passes on information concerning what they believe to be a wrongdoing which is called "making a disclosure" or "blowing the whistle". The wrongdoing will typically (although not necessarily) be something they have witnessed at work.

Responsibilities

Employees – Should follow the procedures below for raising a concern, considering whether or not it is appropriate to raise under the Grievance Policy and Procedures.

Managers - Are responsible for progressing any concern raised, in accordance with this policy, that are raised by employees within their teams. Line Managers should consider the need to and as appropriate involve Human Resources (HR) for advice, and should keep a record of concerns raised and any relevant documents.

HR - Has the responsibility to monitor the implementation of this policy, ensuring procedures are managed within the appropriate principles as outlined in this policy.

Procedures

How to Raise a Concern

The hope is that in most cases the employee will be able to raise any concerns with their line manager. They may be able to agree a way of resolving the concern quickly and effectively.



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As a first step, employees should raise concerns either verbally or in writing with their line manager, whether in person or in writing they should advise that are raising such concerns as a whistle blowing matter. However, where the matter is more serious, or the employee feels that the line manager has not addressed the concern, or the employee would prefer not to raise it with them for any reason (for example, their manager may be implicated in the concern being raised), the employee should contact a member of the senior management team.

Style Acre has a dedicated email address for Whistleblowing concerns – safe@styleacre.org.uk. Employees are able to use this to contact a director directly and anonymously with their concerns.

If you raise a concern verbally, you may be asked to confirm your concerns in writing.

Financial allegations require that the accountable person in the organisation for Finance, shall be notified of all financial or accounting irregularities or suspected irregularities.

On receipt of any whistleblowing concern, the manager who receives and records the complaint, must pass this information as soon as is reasonably possible, to the appropriate designated investigating officer as follows:

- Complaints of malpractice will be investigated by the appropriate Director, unless the complaint is against the Director or is in any way related to the actions of the Director. In such cases, the complaint should be passed to the Chief Executive for referral.
- In the case of a complaint, which is any way connected with but not against the Director, the Chief Executive will nominate a Senior Manager or advise you of the external party who will act as the alternative investigating officer.
- Complaints against the Chief Executive should be passed to the Chairman who will nominate an appropriate internal / external investigating officer.
- The complainant has the right to bypass the line management structure and raise their concern directly to:
 - The Chairman, or the Organisation's Owner. The Chairman, or the Organisation's Owner has the right to refer the complaint back to management if they feel that the management without any conflict of interest can more appropriately investigate the complaint; or
 - The appropriate organisation or regulatory body with authority for the area their concern relates to – if the employee is unsure of this they can check the gov website for their list of prescribed people and bodies to report concerns to or have any other queries regarding raising matters of concern and blowing the whistle; or
 - The Advisory, Conciliation and Arbitration Service (ACAS) to seek advice on the matter and if the employee believes they have been treated unfairly (see also 'Alerting External bodies section below).

Alerting an External Body

In contacting external bodies, the individual should:

- Have a reasonable belief that the allegation is based on correct facts,
- Make the disclosure to a relevant body,
- Have a reasonable belief it is in the public interest to make the disclosure.

The law recognises that in some circumstances it may be appropriate for a staff member to report their concerns to an external body such as a regulator. Style Acre strongly encourage you to seek advice before reporting a concern to anyone external. Public Concern at Work operates a confidential helpline. Their contact details are:

Website: www.pcaw.org.uk Advice Line: 020 7404 6609 Email: whistle@pcaw.org.uk

Address: Public Concern at Work, CAN Mezzanine, 7 - 14 Great Dover Street, London SE1 4YR.



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If there is evidence of criminal activity, then the investigating officer should inform the police. Style Acre will ensure that any internal investigation does not hinder a formal police investigation and may continue their internal investigation alongside any criminal investigation.

Contacting the Media

The media is not a relevant external body. Individuals should not contact the media with allegations about the organisation, except in extraordinary circumstances where neither the organisation nor the relevant regulatory body would be appropriate.

Protection Against Detriment

Any individual who acts under the Public Interest Disclosure Act (1998) will be protected from suffering any detriment in relation to the allegations that are made, including victimisation by the organisation or by colleagues.

If the individual does not follow the procedure set out, which includes the requirements of the Public Disclosure Act (1998), the protection against detriment will not apply. Disclosing information in an inappropriate way (e.g. contacting the media) could result in disciplinary action being taken against the individual, which could include dismissal.

If an employee has a concern regarding their own employment this should be raised under the Grievance procedure.



Safe @ Style Acre

Email: safe@styleacre.org.uk

Or call: 01491 838 760

If you have any concerns about the welfare of anyone we support, however small, report them today.

Remember – you have a responsibility to protect the people supported by Style Acre. Do not delay in reporting your concerns.

Version No	2	Issue Date	April 2024
Review Date due	April 2026	Policy Owner	Lisa-Marie Betteridge
Review Date	April 2025	Next Review date	April 2027