



# Whistleblowing Policy & Procedure

***'Five Rivers Group is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment'***

Policy Owner	Head of HR
Authoriser	CEO
Date of Original Issue	18/09/2019
Reviewed	01/10/2024
Date of Next Review	01/10/2025
Version	V6

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## 1. Introduction

Whistleblowing is one of the most effective ways of preventing and eliminating wrongdoing at work.

We recognise that raising a whistleblowing concern can be daunting. However, we encourage you to report concerns internally as soon as possible where you suspect wrongdoing. We are here to listen and will take all concerns that you raise seriously. This policy sets out the procedure for raising a whistleblowing concern and the support and protection you can receive when you do so.

This policy does not form part of your contract of employment and we reserve the right to amend or withdraw it at any time.

## 2. Policy Statement

This policy applies to all employees and workers employed by us. Other individuals, including our contractors, subcontractors, suppliers and volunteers are also encouraged to follow the procedure set out in this policy.

Please note: If your concern relates to a personal grievance that is not '*in the public interest*' (for example, an allegation of bullying or harassment, or an allegation that your contract of employment has been breached), you should raise it under our **Grievance Procedure**.

Please refer to our Grievance Policy for further information.

If you are unsure whether your concerns should be addressed under the whistleblowing policy or grievance procedure, please speak to your designated HR Business Partner or the HR Team for further advice.

Whistleblowing is the act of reporting suspected wrongdoing or risk of wrongdoing relating to:

- A criminal offence;
- A failure to comply with a legal obligation;
- A miscarriage of justice;
- A risk to the health & safety of an individual
- Damage to the environment; or
- An attempt to cover up any of the above

It is not necessary for you to prove the wrongdoing. However, to be protected by whistleblowing laws against detrimental treatment or dismissal, you must reasonably believe that wrongdoing (related to one of the categories listed above) is being, has been, or is likely to be committed and that your disclosure is in the public interest. You have no responsibility for investigating the matter, it is the Company's responsibility to ensure that that an investigation takes place.

### 3. Policy Principles

- Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. You should be watchful for illegal or unethical conduct and report anything of that nature that you become aware of.
- Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation reported back to the person who raised the issue (subject to the usual bounds of appropriate confidentiality).
- No worker will be victimised for raising a matter under this procedure. This means that the continued employment and opportunities for future promotion or training of the worker will not be prejudiced because they have raised a legitimate concern.
- Victimisation of a worker for raising a qualified disclosure will be a disciplinary offence.
- If misconduct is discovered because of any investigation under this procedure, the Company's disciplinary procedure will be used, in addition to any appropriate external measures.
- Maliciously making a false allegation is a disciplinary offence.
- 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, workers should not agree to remain silent. They should report the matter to a Head of Service or Company Director.

This procedure is for disclosures about matters *other than* a breach of an employee's own contract of employment. If an employee is concerned that their own contract has been, or is likely to be, broken, they should use the Company's Grievance procedure.

### 4. Confidentiality and anonymity

We want you to feel comfortable about raising a whistleblowing concern openly and actively encourage you to do so.

Where you raise a whistleblowing concern openly, we will maintain your confidentiality as far as possible. If we need to identify your identity to anyone, we will notify you beforehand.

In the alternative, you may decide to raise a whistleblowing concern anonymously, please see below information regarding raising your whistleblowing concerns externally.

We encourage anonymous reporting over remaining silent. Although we will investigate any concern that is reported anonymously as best, we can, an anonymous report is likely to be more difficult for us to investigate and we will not be able to provide you with any feedback.

### 5. Stage 1: Raising a Whistleblowing Concern

#### Raising your whistleblowing concerns: internally or externally?

*We encourage you to raise your whistleblowing concerns internally in the first instance as outlined in this section.*

If you then feel that appropriate action has not been taken, you should report the matter to the correct prescribed body or person.

## Using Safecall

Alternatively, we have engaged with **Safecall**, an independent confidential reporting service. Should you have concerns that you do not feel comfortable making directly to management, you are urged to make use of this facility.

The call will not be audio recorded and you can be assured that Safecall will treat the call confidentially. Any approach will be treated with the strictest confidence and your identity will not be disclosed without your prior consent.

**Safecall can be contacted on the following: UK: 0800 915 1571 or Ireland: 1800 812 740.** You should seek advice if you are thinking of raising your concern with the media as you will not have protection under whistleblowing laws unless certain conditions are met.

## Raising your concerns internally

If you have a genuine concern relating to any type of wrongdoing that is covered under this policy, you should raise it with your line manager.

If your concern relates to your line manager, or for any reason you do not wish to approach your line manager, you should raise your concern with a Senior Manager or the HR Team. A list of Senior Leadership Team Contacts can be found in **Appendix 1**

You can raise your concern orally, or in writing. It is important that you set out clearly:

- the details of the suspected wrongdoing;
- the names of any individuals involved; and
- and what action (if any) you are seeking.

In some cases, it may be necessary to ask you to attend a meeting to clarify the nature of your concern. This will be arranged as soon as possible. You may, if you wish, bring a colleague or a trade union representative with you to the meeting. Where it is considered appropriate, a member of the HR Team may also be present.

## 6. Stage 2: Responding to your Whistleblowing Concern

The manager to whom you raise your concern will decide if an investigation is required and, if it is, the most appropriate person to conduct it. The relevant manager will write to you confirming that they are conducting an investigation and the timescale for completion.

The level of investigation and time this will take will vary depending on the nature of the suspected wrongdoing.

If disciplinary action is required, the line manager (or the person who carried out the investigation) will report the matter to the HR Team and start disciplinary proceedings.

Following the investigation, the relevant manager will inform you in writing, as quickly as possible after completion of the investigation, of the outcome and where appropriate, any next steps or action that will be taken. While we aim to provide you with feedback, in some cases it may not be possible to give you comprehensive details, for example where data protection rules apply or there are sensitive issues that need to remain confidential.

## 7. Stage 3: Appeal

If you are not satisfied with how your concern has been dealt with, you should appeal to the Head of HR.

You should raise your appeal in writing. It is important that you set out clearly the grounds of your appeal, i.e. the basis on which you consider that your original concern has not been satisfactorily dealt with.

In some cases, it may be necessary to ask you to attend a meeting to clarify the nature of your appeal. This will be arranged as soon as possible. You may, if you wish, bring a colleague or a trade union representative with you to the meeting. Where it is considered appropriate, a member of the HR Team may also be present.

A senior manager, appropriate to the level and nature of the concern, will consider your grounds for appeal and review the way your original whistleblowing concern was handled. You will be informed in writing of the outcome.

## 8. Our commitment to you

You have the right not to be subjected to any detrimental treatment (including being unfairly penalised, disciplined or dismissed) because you have raised a whistleblowing concern.

If you raise a whistleblowing concern in accordance with this policy, we will ensure that you are treated with respect and provided with adequate support and protection.

If you are told not to raise or pursue a whistleblowing concern, or you believe that you have been subjected to detrimental treatment because you have raised a whistleblowing concern, you should report the matter to the HR Team ([HR@five-rivers.org](mailto:HR@five-rivers.org)). Alternatively, you can raise it under our Grievance Policy and Procedure.

Any such behaviour will not be tolerated and will be treated as a disciplinary offence. If we find that an individual has knowingly raised false allegations, this will also be treated as a disciplinary offence and will be dealt with under our disciplinary procedure.

## 9. Further guidance

If you need further guidance or support, you can contact the whistleblowing charity Protect or Citizens Advice for free confidential advice.

## 10. Data Protection

When you make a disclosure, the Company will process any personal data collected in accordance with its [data protection policy](#). Data collected from the point at which you make the report is held securely and accessed by, and disclosed to, individuals only for the purposes of dealing with the disclosure.

## Appendix 1 – Senior Leadership Team Contacts

<p>1.</p> <p><b>Nicci Willock</b> – CEO</p> <p>Mobile: 07827 931228</p> <p>Email: <a href="mailto:nicci.willock@five-rivers.org">nicci.willock@five-rivers.org</a></p>	<p>6.</p> <p><b>David Baker-Price</b> – Head of Contracting and Service Development</p> <p>Mobile: 07717 438882</p> <p>Email: <a href="mailto:david.baker-price@five-rivers.org">david.baker-price@five-rivers.org</a></p>
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<p>3.</p> <p><b>James Flanagan</b>- Chief Operating Officer</p> <p>Mobile: 07546 695847</p> <p>Email: <a href="mailto:james.flanagan@five-rivers.org">james.flanagan@five-rivers.org</a></p>	<p>8.</p> <p><b>Victoria Elworthy</b> – Head of Residential</p> <p>Mobile: 07514 971546</p> <p>Email: <a href="mailto:victoria.elthworthy@five-rivers.org">victoria.elthworthy@five-rivers.org</a></p>
<p>4.</p> <p><b>Richard Cross</b> – Director of Clinical Services</p> <p>Mobile: 07515 992186</p> <p>Email: <a href="mailto:richard.cross@five-rivers.org">richard.cross@five-rivers.org</a></p>	<p>9.</p> <p><b>Louise Smart</b> – Financial Controller</p> <p>Mobile: 07766 300040</p> <p>Email: <a href="mailto:louise.smart@five-rivers.org">louise.smart@five-rivers.org</a></p>
<p>5.</p> <p><b>James Hall</b> – Head of Education</p> <p>Mobile: 07935 066031</p> <p>Email: <a href="mailto:james.hall@five-rivers.org">james.hall@five-rivers.org</a></p>	<p>10.</p> <p><b>Kate Bromfield</b> – Head of HR</p> <p>Mobile: 07563 382226</p> <p>Email: <a href="mailto:kate.bromfield@five-rivers.org">kate.bromfield@five-rivers.org</a></p>