



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
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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.

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 employment contract 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 People Partner or the People Team for further advice.

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. Scope

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.

3. What is whistleblowing?

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

- A criminal offence, such as fraud
- A failure to comply with a legal obligation;
- A miscarriage of justice;
- A risk to the health & safety of an individual
- Safeguarding
- 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 above categories) is being, has been, or is likely to be committed and that your disclosure is in the public interest.

You are not responsible for investigating the matter; it is the organisation's responsibility to ensure that an investigation takes place.

4. Policy Principles

- Everyone should know 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 colleague 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 colleague will not be prejudiced because they have raised a legitimate concern.
- Victimisation of a colleague for raising a qualified disclosure will be a disciplinary offence.
- If misconduct is discovered because of any investigation under this procedure, the organisation'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, you should not agree to remain silent. You should report the matter to a Head of Service or a Company Director.

This procedure is for disclosures about matters *other than* a breach of your employment contract. If you are concerned that your contract has been, or is likely to be, breached, you should use our Grievance procedure.

5. 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 you to anyone, we will notify you beforehand.

Alternatively, you may decide to raise a whistleblowing concern anonymously. Please see below for information regarding raising your whistleblowing concerns externally.

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

6. Raising a Whistleblowing Concern

Raising your concerns internally

If you are genuinely concerned about any type of wrongdoing covered under this policy, you should raise it with your line manager.

If your concern relates to your line manager, or you do not wish to approach your line manager, you should raise your concern with a Senior Manager, your designated People Partner and/or the People Team. A list of Leadership Team Contacts can be found in **Appendix 1**

You can raise your concern verbally 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.

Raising your whistleblowing concerns externally

We encourage you to raise your whistleblowing concerns internally in the first instance, as outlined in this section. If you feel that appropriate action has not been taken, you should report the matter to the correct prescribed body or person (see the list on GOV.UK). This could include LADO, Ofsted, and Local Authorities etc.

You should always seek advice if you are thinking of raising your concern with the media. Under whistleblowing laws, you will not have protection unless certain conditions are met.

Using Safecall

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

The call will not be audio recorded, and you can be assured that Safecall will treat it confidentially. All call handlers are trained experts with over 25 years experience.

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.**

7. Responding to your Whistleblowing Concern

Any matters raised under this policy will be investigated thoroughly, promptly and confidentially.

Within five working days of the disclosure being made, we will contact you to confirm the following:

- Acknowledging that the concern has been received
- Advising whether an investigation is required and, if it is not, why not.
- Indicating who has been appointed and how we will investigate your concern.
- Advise on the next steps and scope of investigation.

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 bring a colleague or a trade union representative to the meeting. Where appropriate, a member of the People Team may also be present.

You will be kept updated on the progress of an investigation. The level of investigation and time it takes will vary depending on the nature of the suspected wrongdoing. However, this will be a matter of priority for us as an organisation.

Following the investigation, you will be informed in writing, as quickly as possible after completion, of the outcome and, where appropriate, any next steps or action that will be taken. While we aim to provide you with feedback, it may not be possible to give you

comprehensive details, for example, where data protection rules apply or sensitive issues need to remain confidential.

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

8. Appeal

If you are not satisfied with how your concern has been dealt with, you may appeal. If you wish to appeal, your outcome letter will set out to whom you need to send your appeal, which should be made in writing.

You should clearly state the grounds of your appeal, i.e. the basis on which you consider that your original concern has not been satisfactorily dealt with.

This should be done within **seven working days** of the written notification of the outcome of your concerns.

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 bring a colleague or a trade union representative to the meeting. Where appropriate, a member of the People 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 how your original whistleblowing concern was handled. You will be informed in writing of the outcome.

9. 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 your designated People Partner and/or the People Team (HR@five-rivers.org). Alternatively, you can raise it under our Grievance Policy and Procedure.

Any such behaviour will not be tolerated and 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.

10. Further guidance

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

11. Data Protection

When you make a disclosure, the organisation 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 – Leadership Team Contacts

Executive Leadership Team	
Nicci Willock CEO Mobile: 07827 931228 Email: Nicci.willock@five-rivers.org	
James Flanagan Chief Operating Officer Mobile: 07546 695847 Email: james.flanagan@five-rivers.org	Richard Cross Director of Clinical Services Mobile: 07515 992186 Email: Richard.cross@five-rivers.org
James Hall Director of Education Services Mobile: 07935 066031 Email: James.hall@five-rivers.org	Clare McKnight Executive People Director Mobile: 07355 624171 Email: clare.mcknight@five-rivers.org
Heads of Service	
Louise Smart Group Financial Controller Mobile: 07766 300040 Email: louise.smart@five-rivers.org	Lisa Reffell Head of Marketing & Communications Mobile: 07827 931226 Email: lisa.reffell@five-rivers.org
Jem Orman Head of Fostering Support Services Mobile: 07553 351636 Email: Jem.Orman@five-rivers.org	Chris Sweeney Head of Education Services Mobile: 07547 415304 Email: chris.sweeney@five-rivers.org
Colette Abbis Head of Fostering North Mobile: 07710088152 Email: Colette.Abbiss@five-rivers.org	Victoria Elworthy Head of Residential Mobile: 07514 971546 Email: Victoria.elworthy@five-rivers.org
Sarah Wells Head of Fostering South Mobile: 07710 097451 Email: Sarah.wells@five-rivers.org	Rebecca Lewis Head of Commercial Mobile: 07742077569 Email: Rebecca.Lewis@five-rivers.org
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