

Pioneering Care Partnership

Whistleblowing Policy and Procedure



Aim

PCP are committed to managing the organisation in the best way possible. This policy is in place to reassure people that it is safe and acceptable to speak up if they have concerns. PCP encourages employees and volunteers to express legitimate concerns about malpractice and wrongdoing. These should be raised at an early stage and in the right way.

Scope

This policy applies to all PCP employees (permanent or temporary), trustees, consultants, contractors, volunteers, casual workers or agency workers.

Exclusions

This Policy should only be used to report circumstances outlined in 'Qualifying Disclosures'. PCP has a number of other policies and procedures that can be used to raise complaints relating to how employees have been treated. Please refer to 'Related Policies and Procedures'.

Volunteers and service users should use PCP's Formal Complaints Procedure to report specific incidents relating to projects or services.

Definitions

Whistleblowing - is the act of disclosing information about wrongdoing or 'malpractice' in the workplace, which is in the 'public interest'.

Public Interest - disclosures must be in the public interest, which means it must affect others. For example, other workers, customers or the general public. A problem or grievance that is personal to only you are unlikely to count as being in the public interest. Something is more likely to be in the public interest:

- the more serious the issue is;
- if you're reporting something that was done deliberately;
- if the issue involves a large, influential or well-known employer or public figure;
- if there are a large number of people affected by the concerns.

Malpractice - improper, illegal or negligent behaviour by anyone in the workplace.

Detriment - an employee being treated worse than before or having their situation made worse due to a disclosure. This would include victimisation and harassment.

Qualifying Disclosures

All UK employees and workers will be protected under the Public Interest Disclosure Act 1998, where they make a 'protected disclosure'. They must fall into one or more of the six categories of below:

1. a criminal offence (including fraudulent and corrupt behaviour e.g., fraud or malpractice, modern slavery etc);
2. a failure to comply with any legal obligation;

3. a miscarriage of justice;
4. an act (or omission) creating risk to health and safety;
5. an act causing damage to the environment;
6. the deliberate concealment of any of the above matters.

It is not necessary for you to have proof that the act has been or is being committed, or that is likely to be committed in the future. However, you need to reasonably believe that the act has been or is currently being carried out or believe that it is likely to be carried out.

Legal Protections for Whistleblowers

By law, employees will be protected as a whistleblower if you can show it's reasonable for you to believe that what you disclose:

- fits into one of the categories under qualifying disclosure; and
- it is in the public interest.

To claim protection, whistleblowers must show they:

- made a qualifying disclosure;
- followed the correct disclosure procedure;
- were dismissed or suffered a detriment as a result of making the disclosure.

PCP's Approach

PCP encourage openness and any potential malpractice must be reported immediately.

As part of our commitment to continuous improvement we use whistleblowing disclosures as opportunity to learn. This could be through awareness raising and training where concerns were unproven, or putting processes in place to protect against future wrongdoing if upheld.

If a genuine concern is raised under this procedure, employees will not be at risk of losing their job or suffer any detriment. Provided they acted in good faith, it does not matter if the concerns are genuinely mistaken, or if there is an innocent explanation.

This assurance will not be extended to those who maliciously raise a matter they know is untrue. If, following a thorough investigation, it is found that a matter was raised maliciously; then this will be dealt with as follows:

- **PCP employees** - Disciplinary Procedure
- **PCP volunteers and trustees** - may be asked to step down/leave
- **External employees** - a formal complaint to their employer.

This policy will be applied consistently and in line with PCP core values.

Procedure

All concerns should be made in writing, they should set out the background and history of the concern. It should outline names, dates and places where possible, and the reason why the situation is concerning

If you think a child or other vulnerable person is in immediate danger, you should call 999.

Raising the concern internally

Concerns should be internally initially. Where to raise this will depend on the seriousness and sensitivity of the issues involved, and who is thought to be involved in the malpractice. In the first instance raise concerns with:

- your line manager or volunteer supporter; or
- a senior manager; or
- the HR department.

Where it is believed the Senior Leadership Team (SLT) is involved concerns should be raised with the Chief Executive/Deputy. Where it is believed the Chief Executive is involved concerns should be raised with the Chair of the Board of Trustees. Contact details can be found in PCP Outlook Address Book.

The individual who receives the concern will be responsible for recording and escalating whistleblowing concerns as required. They will treat any concerns confidentially and will only pass on information as required to support an investigation.

When a concern is raised, an appropriate individual or team will be allocated to investigate the concern. This could be member of staff with appropriate knowledge or expertise, an SLT member, a trustee or third-party consultant.

All concerns will be acknowledged within 5 working days, along with the details of the appointed investigator(s). A confidential meeting to discuss concerns will be arranged to review any evidenced gathered. A notetaker will be present. Appropriate steps will be taken to ensure that an employee's working relationships are not prejudiced by making a disclosure.

Although the person raising the concern is not expected to prove the truth of an allegation, they will need to demonstrate to the investigator that there are sufficient grounds for the concern.

The length of time the investigation may take will depend upon the seriousness of the concern and its scope. The investigator will provide an approximate timeline and will keep whilst blower informed. There may be a requirement to attend additional meetings in order to provide further information.

Once the investigation is completed an update will be provided. However, full details of the outcome may not be shared with the whistle blower. This could happen for a number of reasons i.e., ongoing disciplinary processes or a criminal investigation. Any information shared about the investigation must be treated as strictly confidential.

The investigator(s) may make recommendations for change to enable us to minimise the risk of future wrongdoing, and PCP will implement these.

Raising a concern externally

In some instances, it may be necessary to raise your concerns with an external body. This may be because:

- It is believed your employer will not investigate the concerns properly;
- The whistleblower believes they may be victimised at work for raising concerns;
- The concerns have been raised internally, and nothing has been done.

For a full list of external bodies that deal with whistleblowing concerns: [Whistleblowing: list of prescribed people and bodies - GOV.UK](#)

Advice and support for whistleblowers

Support and advice as a whistleblower can be found at:

- Protect is an independent charity which provides free and strictly confidential legal help to anyone concerned about a malpractice which threatens the public interest.
www.protect-advice.org.uk
- ACAS Helpline number 0300 123 1100
- Private solicitors

Responsibilities

Trustees are responsible for approving and reviewing this Policy as part of the review cycle.

Senior Leaders are responsible for ensuring that the Policy is reviewed, disseminated and implemented, addressing any concerns raised through this Policy.

Operation Manager is responsible for ensuring that this Policy and associated procedures remain compliant with legislation.

Line Managers are responsible for applying the Policy and Procedures, communicating the Policy to staff, ensuring staff operate in the public interest and eradicating any potential poor practice within operational teams.

Employees & Volunteers are responsible for upholding best practice standards, reading and operating within PCP policies and procedures, adhering to PCP core values and raising concerns with their line manager.

Volunteer Supporters are responsible for recording and escalating whistleblowing concerns from volunteers as required.

Related Policies and Procedures

This Policy should be read in conjunction with the following PCP policies, procedures or guidance:

- Anti-Bribery and Corruption
- Confidentiality
- Core Values
- Dignity at Work

- Disciplinary
- Receipt of Gifts and Hospitality
- Sexual Harassment
- Financial Controls
- Formal Complaints Procedure
- Grievance
- Volunteer

Relevant Legislation

This Policy is in line with the following relevant legislation:

- Employment Rights Act 1996
- Public Interest Disclosure Act 1998

Monitoring and Review

As part of the Policy Review Cycle a full formal review will take place every 3 years by the Senior Leadership Team to ensure it remains compliant. This policy must be approved by the Board of Trustees.

March 2025

Policy document tracking

Action	Date(s)
Draft to SLT:	7 November 2024
Draft to Board:	December 2024
Ratified by Board:	24 March 2025
Approved policy uploaded and shared	25 March 2025
Interim Review Date:	NA
Main Review Date:	January 2028
SLT Lead for Review	Governance and Development Manager

If this policies or procedure is not reviewed in line with the review date indicated, then this version remains valid until such time it is updated and reviewed