

# Whistleblowing (speaking up) policy – version 12.1

**Date approved for use: 17<sup>th</sup> May 2023**

## Scope

- 1.1 This policy is a Dimensions Group policy. This means it applies to all its subsidiaries as listed [here](#).
- 1.2 The Group Audit & Risk Committee (GARC) has approved this policy on behalf of the Dimensions Group Board.
- 1.3 Its purpose is to encourage colleagues, including agency colleagues and volunteers, to speak up when they feel something is wrong, so we can do something about it. It recognises that there are times when speaking up can be difficult and takes courage.
- 1.4 It outlines the different ways people can whistleblow and how we respond.
- 1.5 Whistleblowing is not about employment issues. If you have a complaint about pay, working hours, workload or being bullied by colleagues, then refer to the [Grievance policy](#).

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## Policy statement

2.1 We are committed to the highest standards of:

- openness
- integrity
- accountability, and
- continuous improvement

in the way we support people and their families. Encouraging colleagues to raise concerns and responding to the issues effectively is one of the ways we show these commitments.

2.2 We recognise that whistleblowing (speaking up) often takes a lot of courage. We value this and are committed to ensuring colleagues who speak up are supported and recognised for their courage.

2.3 We fully respect the rights of all whistleblowers. This includes the whistleblower's right to anonymity. See [Protection for the whistleblower](#).

2.3 We will investigate anonymous whistleblows just as thoroughly as we do all others and always take appropriate remedial action.

## The impact of not implementing this policy

3.1 If you do not follow this policy, people we support may come to harm.

3.2 You might also get us in trouble with our regulators. That's:

- the person's local authority (LA)
- in England, the Care Quality Commission (CQC)
- in Wales, the Care Inspectorate Wales (CIW)
- the Charity Commission (CC)
- the Regulator of Social Housing (RSH)
- the Information Commissioners Office (ICO).

3.3 If you don't report a crime that's been committed, you might even get us and yourself in trouble with the police.

# Policy content

## When to speak up

- 4.1 If you think that any colleague or the organisation has committed any:
- criminal offence
  - miscarriage of justice
  - act creating risk to health and safety
  - act causing damage to the environment, or
  - breach of any other legal obligation,
- or covered-up any of the above, then we want you to speak up.
- 4.2 You don't need proof that such an act has been or is likely to be committed. Reasonable belief is enough. You won't have to investigate the matter. That's our responsibility.
- 4.3 Examples of such acts include – but this list is not exhaustive:
- wilful harm of any person we support, physical, psychological, or financial
  - theft, fraud, deliberate falsification of records
  - fighting, assault on another person or threat of violence or offensive behaviour
  - drinking alcohol whilst at work and taking of any illegal substance
  - any act or omission which puts people supported by the company at risk of harm or abuse
  - deliberate disregard of a safety rule or condition
  - sleeping on duty unless expressly permitted.
- 4.4 There may be times when a colleague's care practice worries you. The same goes for these occasions: if you believe a colleague's practice could have bad consequences for any person we support, speak up.
- 4.5 Your concern may prove unfounded, but we would rather you speak up than risk a problem getting worse.

## How to speak up

- 5.1 You might not find it easy to speak up, but you must do it. Do it as soon as possible. This way, you will help stop any problem getting worse.
- 5.2 Be prepared to set out the background and history of your concern. You'll need to give:
- names
  - dates
  - places, where possible, and
  - explain why you are worried.
- 5.3 In most cases, you should be able to speak up to your line manager. If the matter relates to your manager, speak to someone higher up the management chain. See [Whistleblowing list of contacts](#) for people you might want to tell. Any of these people will be pleased to hear from you.
- You can do it either by telephone or e-mail. If you phone and the issue is complicated, you might want to write it down first to help explain yourself clearly. It's fine also to speak to someone directly *and* to email or write them a letter.
- 5.4 If you can't talk to line management or you are not happy with your manager's response, call our Safecall whistleblowing hotline. Safecall is an independent company. It's open 24-hours-a-day and it ensures confidentiality. Contact details:
- Phone number: 0800 915 1571
  - Website: <https://www.safecall.co.uk/reports>
  - Email: [dimensions@safecall.co.uk](mailto:dimensions@safecall.co.uk)

Once you have spoken up, Safecall will send a report to Dimensions' Group Director of Quality, Governance & Lived Experience within 24 hours.

- 5.5 Alternatively, you can email the chair of the Group Audit & Risk Committee: [shahana.khan@dimensions-uk.org](mailto:shahana.khan@dimensions-uk.org).
- 5.6 If you wish to meet with a senior manager, they will arrange a meeting as soon as possible. If you want a colleague or trade union representative to support you, that's fine.

- 5.7 You may also directly disclose alleged wrongdoing or malpractice to our regulators. That is, where the alleged wrongdoing falls within their remit. Their contact details are:

**The Care Quality Commission** – the independent regulator of health and social care in England

Tel.: 0300 061 6161

Emails [enquiries@cqc.org.uk](mailto:enquiries@cqc.org.uk)

**The Care Inspectorate Wales** - who register, inspect and take action to improve the quality and safety of services for the well-being of the people of Wales

Tel.: 0300 790 0126

Email: [CIW@gov.wales](mailto:CIW@gov.wales)

**The Regulator of Social Housing** – who promotes a viable, efficient and well-governed social housing sector

Tel.: 0300 124 15225

Email: [enquiries@rsh.gov.uk](mailto:enquiries@rsh.gov.uk)

**The Health and Safety Executive** – Britain's national regulator for workplace health and safety

Tel.: 0300 003 1647

Further contact details at <https://www.hse.gov.uk/contact/>

**The Financial Conduct Authority** – who regulate financial services firms and financial markets in the UK

Tel.: 0300 500 8082

Website: <https://www.fca.org.uk/contact>

## Management response and investigation

- 6.1 All managers who receive or investigate whistleblowing allegations are expected to take a positive attitude towards the colleagues who raise these concerns. This includes thanking the colleague for raising the matter and recognising the courage it takes to raise concerns. The colleague should be informed about how their concerns will be addressed and notified when any investigations are completed. Where investigations take several weeks to conclude updates should be provided to the whistleblower to give assurance

that the matter is being actively followed up. Advice on how and when to communicate with whistleblowers, including how to draft written communications, can be sought from the Group Director of Quality, Governance & Lived Experience or the Head of Quality and Regulation.

- 6.2 When they receive a whistleblowing alert, a senior manager will appoint someone with a suitable background to investigate. The investigating manager will usually be a senior manager or an experienced member of the Quality Assurance Team. In exceptional circumstances, we may appoint an independent person or member of the Board to investigate. Perhaps even the Chair of the Board.
- 6.3 The investigating manager will investigate the matter comprehensively. This may involve:
- Asking the whistleblower for further information or clarification
  - interviewing colleagues and other relevant people
  - checking documentation and records, and
  - visiting our premises.

They also have the right in serious cases to recommend suspension of the person they're investigating.

- 6.4 Where appropriate we will keep the Chair of the Board up to date with progress.
- 6.5 The investigating manager will share a closure report with the originating senior manager. The senior manager will refer it to the Group Executive Team (GET) with any recommendations for action. They might also share it with the Board.
- 6.6 We will deal with all whistleblowing alerts as quickly as practically possible.
- 6.7 The investigating manager can keep you informed about the action they've taken, but they cannot give you much detail if they have to keep the confidence of other people.
- 6.8 We will routinely submit a summary of concerns raised under this policy, including whether substantiated or not, to the Board.

- 6.9 We will aim to resolve matters quickly and without the initial involvement of an outside agency. However, there may be times when we have to involve others. For example, when:
- the matter involves a very senior colleague
  - a criminal offence has been committed. We will report such incidents to the police
  - a person we support has been abused. We will report such cases to the local authority and appropriate regulatory authority – that is, the CQC in England, CIW in Wales and, possibly, the CC
  - the matter is a notifiable incident under Health and Social Care Act regulations in England or Social Services and Well-being (Wales) Act in Wales. We will report such incidents to the CQC and CIW respectively
  - the matter relates to housing and/or property services we provide. We will report such incidents to the Regulator of Social Housing.
- 6.10 Wherever possible, when outside agencies carry out an investigation, we will carry out our investigation in conjunction with that agency.
- 6.11 Sometimes an investigation will uncover further information that we have to investigate separately. This might also result in a disciplinary hearing or in our having to refer the case to another statutory body – for example, the CQC.

## **Retraction of allegation**

- 7.1 Once you have made a disclosure, you can retract it at any time. However, the organisation reserves the right to go ahead with the investigation.

## **Protection for the whistleblower**

- 8.1 The law protects workers who speak up. When you speak up about the organisation you work for because you think it's in the public interest to do so, it's called a 'qualified disclosure' — that is, when you have reasonable belief that any of the following have been committed or a cover-up has been or is likely to be committed:
- a criminal offence
  - a miscarriage of justice
  - an act creating risk to health and safety
  - an act causing damage to the environment
  - a breach of any other legal obligation.

- 8.2 The law says that when you make a qualifying disclosure, you have the right not to be dismissed or be subjected to any disadvantage or blame. Disadvantage includes demotion, being given all the worst jobs and being forced to work a lot of overtime.
- 8.3 We are committed to supporting you when you disclose information in line with this policy and we will protect you as best we can from any repercussions. When you tell us your concerns, you will not adversely affect your career with us. As long as you have come forward in good faith, this will be the case even when your concern turns out to be unfounded.
- 8.4 We will respect confidentiality as far as possible when you request it. However, depending on the nature of your concern, we may have to share information with others. For example, when a crime has been committed or we are bound by regulations or contracts to share information.
- 8.5 Also understand that we will not honour codes of confidentiality if you knowingly and/or maliciously make false allegations against a colleague. In these circumstances, we might investigate and take disciplinary action against you.

### Things to consider

- 9.1 We understand that there may be times when it will not be possible to fully substantiate the information you provide. We will treat such cases sensitively and give special consideration to supporting you in the workplace.
- 9.2 If the investigating manager feels that you have deliberately misused the policy or used it maliciously, they will decide whether to make further enquiries into your actions. We may take action against you. However, they would need very clear evidence to substantiate this belief, as we do not want to discourage colleagues from raising concerns. We may take specialist advice about the most reasonable course of action.

## Relevant legislation, guidance and related policies and templates

### Legislation

- 10.1 Public Interest Disclosure Act 1998
- 10.2 Equality Act 2010
- 10.3 Data Protection Act 2018
- 10.4 General Data Protection Regulations (UK-GDPR)



## Guidance

- 11.1 Safecall confidential Whistleblowing telephone number: 0800 915 1571
- 11.2 Safecall confidential reporting website page:  
<https://www.safecall.co.uk/reports>
- 11.3 Safecall confidential email address: [dimensions@safecall.co.uk](mailto:dimensions@safecall.co.uk)
- 11.4 [Employee Assistance Programme \(EAP\)](#)

## Group policies

- 12.1 Concerns, complaints and compliments
- 12.2 Disciplinary
- 12.3 Grievance
- 12.4 Equality, diversity and inclusion
- 12.5 Safeguarding

## Related procedures, decision flowcharts, forms and so on

- 13.1 [Whistleblowing list of contacts](#)
- 13.2 [Whistleblowing poster](#)
- 13.3 [Modern slavery and human trafficking statement](#)

## Equality statement

- 14.1 This policy applies to all colleagues whatever their age, gender, ethnicity, faith, disability, sexual orientation and marital status.
- 14.2 We promote equality, diversity and human rights by treating all people we support and employ equally and fairly whatever their:
  - age
  - disability
  - gender reassignment
  - marriage and civil partnership
  - pregnancy and maternity
  - race
  - religion or belief
  - sex

- sexual orientation

14.3 The equality impact analysis (EIA) is available on request by emailing the Equality, Diversity and Inclusion Manager.

## Data protection statement

- 15.1 This policy involves handling personal data. So when you carry out any procedures this policy describes, you should also think about what our Data handling and protection policy says.
- 15.2 Our Data handling and protection policy is our promise to handle personal data correctly under the Data Protection Act 2018 and the General Data Protection Regulation (UK-GDPR). It tells you how to keep that promise. It balances everyone's rights to data privacy with the work we do.
- 15.3 Information held about complaints will be held and processed in line with the principles of the Data Protection Act 2018 and UK-GDPR. Statistical reports will be produced to monitor trends, but individuals will not be identified in these reports.
- 15.4 For information on how we handle personal and sensitive data, please see our privacy notices.

## Review

- 16.1 We will review this policy every year from its original publication. But if changes in legislation, regulation or best practice mean we need to, we will review sooner.
- 16.2 If the changes are big, we will equality impact analyse (EIA) the policy again and send out to consultation in line with our Policy development and consultation policy.
- 16.3 For smaller changes, we will update this same version. We will record this in the Version control section below.

## Glossary

- 17.1 An explanation of words and terms that appear in this policy or the related procedures.

Term	Definition
<b>Disclosure</b>	The action of making new or secret information known.
<b>Protected disclosure</b>	Under the law, there are provisions whereby the person raising the disclosure are protected.

## People and groups involved in writing and approving this policy

<b>Policy owner:</b>	Rhoda Iranloye, Group Director of Quality, Governance & Lived Experience
<b>Policy author/reviewer:</b>	John Clarke, Head of Quality and Regulation
<b>People and groups consulted:</b>	Group Audit & Risk Committee; Diversity Matters; National Colleague Forum Policy Subgroup

## Version control

Version number	Approved date:	Communication date:	Summary of minor changes
12	20 <sup>th</sup> October 2022 (GARC) 30 <sup>th</sup> November 2022 (Board)	14th December 2022	<p>Policy name change: '(speaking up)' added to policy title.</p> <p>Change of section titles: from 'Identifying a whistleblowing concern' to 'When to speak up' and "Reporting a concern" to 'How to speak up'.</p> <p>The phrase 'raise a concern' or similar, replaced with 'speak up', throughout.</p> <p>5.3 re-worded.</p> <p>5.7 explanations added about regulators and their remits.</p> <p>7.2 clarification on who the investigating manager will be.</p> <p>7.3 clarification around suspension.</p>

12.1	17 <sup>th</sup> May 2023	17 <sup>th</sup> May 2023	<p>Policy author/reviewer change.</p> <p>‘Group Director of Regulatory Assurance’ changed to, ‘Group Director of Quality, Governance &amp; Lived Experience’ throughout.</p> <p>1.3 updated to include that speaking up can be difficult and takes courage.</p> <p>2.1 updated to encourage colleagues to raise concerns.</p> <p>2.2 new paragraph recognising that speaking up takes a lot of courage.</p> <p>‘Protection for the whistleblower’ section moved to later in the policy (now section 8).</p> <p>‘Investigation’ section renamed to ‘Management response and investigation’.</p> <p>6.1 new paragraph.</p> <p>6.3 updated to include additional information may be asked for.</p> <p>6.7 updated.</p> <p>9.1 previous paragraph removed.</p>
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**Next review due: December 2023**