

Whistleblowing Policy



1. Introduction

This policy applies to **all** employees. Other individuals performing functions in relation to Brunelcare, such as agency workers and contractors, are encouraged to use it.

2. Policy Aim

To promote a culture that encourages candour, openness and honesty at all levels, between staff, clients and their families, and all people connected professionally, formally and informally with Brunelcare.

3. Purpose

To conduct our business honestly and with integrity at all times to ensure it complies with all legal requirements. It is important to us that any fraud, misconduct, bribery or other wrongdoing by employees is reported and dealt with properly.

We encourage all employees to raise concerns about the conduct of others in the business, or the way in which the business is run.

Staff members who are members of a professional body e.g. Registered Nurses, Registered Paramedics, also have a duty to work according to their codes of professional conduct.

4. Legal Framework

Public Interest Disclosure Act 1998
Employment Rights Act 1996
Care Quality Commission; Regulation 20

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5. Operational Notes

What is “**Whistleblowing**”?

Whistleblowing disclosures may include information which relates to some danger, fraud or other illegal or unethical conduct in the workplace. This may include:

- a) Criminal activities
- b) Failure to comply with any legal obligation
- c) Miscarriages of justice
- d) Danger to health and safety
- e) Damage to the environment
- f) Deliberate concealment of the above matters

Any complaint that does not specifically meet the criteria listed in points a) to f) should be raised through the Charity’s Grievance Policy.

It is not necessary for the employee to have proof that such an act is being, has been, or is likely to be, committed - a reasonable belief is sufficient. The employee has no responsibility for investigating the matter - it is Brunelcare’s responsibility to ensure that an investigation takes place.

The employee who makes such a protected disclosure has the right not to be dismissed, subjected to any other detriment, or victimised, because he/she has made a disclosure.

Brunelcare encourages employees to raise their concerns under this procedure in the first instance. (***Please follow [Appendix WBD1 - Whistleblowing Disclosure Procedure](#)***)

If an employee is not sure whether or not to raise a concern, he/she should discuss the issue with his/her line manager or the HR department.

6. Principles

- Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. Employees should be watchful for illegal or unethical conduct and report anything of that nature that they become aware of.
- Any matter raised under this policy will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation reported back to the employee who raised the issue.
- No employee will be victimised for raising a matter under this policy. This means that the continued employment and career development opportunities of the employee will not be prejudiced because he/she has raised a legitimate concern.
- Victimisation of an employee for raising a qualified disclosure will be a disciplinary offence.
- If misconduct is discovered as a result of any investigation under this policy Brunelcare's disciplinary procedure will be used, in addition to any appropriate external measures.

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- 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, employees should not agree to remain silent. They should report the matter to a director or (if all directors are implicated) seek advice from Public Concern at Work (Tel: 020 7404 6609 or email whistle@pcaw.org.uk).

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