

INSPIRED SUPPORT

Whistleblowing policy



INSPIRED SUPPORT

Effective from:	September 2022	Review date:	September 2025
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Inspired Support's Autism Consultant and Deputy Safeguarding Lead receives email updates from Skills for Care, 39 Essex Chambers and the Social Care Institute for Excellence and will update this policy as needed prior to the review date.

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Aim

Inspired Support is committed to creating and maintaining the safest possible environment for customers to participate in the events and activities on offer and recognise their responsibility to promote a safe environment for any concerns to be reported without fear of reprisal.

This policy aims:

- To provide workers, customers and volunteers with an appropriate mechanism for raising concerns in relation to malpractice or criminal acts.
- To ensure Inspired Support meets its legal responsibilities in relation to whistleblowing.

Scope

Whistle blowing is an early warning system. It is about revealing and raising concerns over misconduct or malpractice within an organisation or within an independent structure associated with it.

This policy applies to all workers, customers and volunteers at Inspired Support.

1. Introduction

Inspired Support are committed to the highest standards of openness, integrity, accountability and continuous improvement in the way we support our customers and we believe that prevention is better than cure. Inspired Support wants to prevent malpractice from occurring and to remedy it where it does occur.

Malpractice is taken very seriously and Inspired Support is committed to the highest possible standards of openness, probity and accountability. In line with that commitment we expect all workers and others we deal with who have serious concerns about malpractice in Inspired Support, to come forward and voice those concerns. Examples of malpractice include:

- Criminal offence or breach of legal obligation.
- Bribery, corruption or fraud.
- Falsifying records or misuse of assets.
- Failure to comply with appropriate professional standards or Code of Conduct.
- Bullying, harassment, sexual exploitation and abuse
- Abuse of authority.
- Causing damage to the environment or danger to the health and safety of any individual.
- Any attempt to conceal any of the above.

We encourage workers to raise the matter when it is just a concern, rather than have them wait for proof or the investigation of the matter. We aim to treat whistleblowers as witnesses, rather than as complainants.

This policy exists to help workers/volunteers raise their concerns at an early stage and in the appropriate way in relation to concerns regarding malpractice or illegal acts by a worker or volunteer of Inspired Support. The policy describes how any concerns raised under this procedure must be dealt with and the responsibilities of those involved.

2. Context

This policy is designed to afford protection to any worker who discloses information of a specified category to a specified individual in a specified circumstance. This policy has been introduced in

line with the best practice advised by the PIDA 1998. It enables workers to raise, at an early stage and in the right way, concerns about malpractices or illegal acts.

A concern raised through a **protected public interest disclosure** (whistleblowing) alleges malpractice or serious wrongdoing such as dangerous or criminal activity which affects others.

Under the Public Interest Disclosure Act 1998 (PIDA), a worker will have the right not to suffer detriment or be unfairly dismissed as the result of speaking out about crime, fraud, miscarriages of justice, dangers to health and safety, breaches of civil service code or risks to the environment.

The whistleblower should be treated as a messenger, alerting others to a serious concern so that they can address it, and should not be expected to prove the malpractice. The whistleblower must reasonably believe that one of the conditions that constitutes a qualifying disclosure is occurring and must make the disclosure in good faith and not for personal gain.

3. The Public Interest Disclosure Act 1998 (PIDA)

1. The Public Interest Disclosure Act 1998 protects whistle-blowers from detrimental or unfavourable treatment and victimisation from their employers and co-workers after they have made a qualifying disclosure of a concern in the public interest. For a disclosure to be protected, it must be made in good faith and without malice. Protection will not extend to disclosures made by an individual that are known to be untrue to that individual at the time such disclosure is made, or any disclosure made for personal gain.
2. PIDA details six subject areas under which disclosures have to fit so as to be “qualifying , protected disclosures”:
 - Criminal offences including those being committed or is likely to be committed.
 - Failure to comply with legal obligations.
 - Miscarriages of justice including those occurring or is likely to occur.
 - That the health and safety of any individual has been, is being or is likely to be endangered.
 - Damage to the environment.
 - A deliberate attempt to cover up any of the above.

4. Raising a concern

The aim of the PIDA is to encourage the disclosure of information through the appropriate internal channels first, or through appropriate external bodies. As a result, it should be relatively easy to disclose information to a director or appropriate external bodies and gain protection.

You should only use this policy as outlined, therefore you should give careful thought to whether other procedures, such as those for grievances or complaints, are more appropriate than the whistleblowing process.

Inspired Support understand that there may be occasions when it will not be possible to fully substantiate the information you provide and we will treat such cases sensitively and give special consideration to supporting you in the workplace.

Inspired Support is committed to supporting workers when they disclose information in line with this policy and will protect the whistleblower as best we can from any repercussions. The whistleblower’s career will not be adversely affected as long as they have come forward in good faith, and this will be the case even when concerns turn out to be unfounded.

Inspired Support will not honour codes of confidentiality if someone knowingly and/or maliciously make false allegations against a colleague. In these circumstances, we will investigate and may take disciplinary action against you.

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.

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

Principles in Information Sharing

When sharing information, Inspired Support acts at all times within all legislative, common law and other related provisions concerning information processing and sharing including, but not limited to, the Data Protection Act 2018 and General Data Protection Regulations. Workers and volunteers must be mindful of, and act within, the rules set out in our Data Protection Policy.

Inspired Support also use the Caldicott Principles as a guide to good practice when determining the sharing of information in connection with safeguarding concerns (see safeguarding policy for further information).

Raising concerns internally

Workers and volunteers who have concerns about malpractices should raise them as follows:

Step 1 – If you have a concern about unsafe practice, a risk, or any wrongdoing, talk to your Area Lead without delay.

Step 2 – Where concerns are about the conduct of the lead worker or if you feel unable to raise your concern with them, concerns should be raised with the next person in the line management chain (a director or the Autism consultant). Appendix A and B contains examples of an internal alert form and subsequent record of discussion form. Appendix D contains a step by step reporting procedure.

Raising a concern externally

Inspired Support workers may also use their lawful rights to report concerns directly to an outside agency in certain circumstances. If workers wish to raise a matter externally rather than internally, they will be protected only if they can show that they are not motivated by personal gain and that they reasonably believe the information they are giving is true.

Inspired Support recognises that people may be unsure whether to use this policy or want confidential advice at any stage, therefore people can contact the independent charity “Protect” below:

Protect – 020 3117 2520
www.protect-advice.org.uk

This organisation will give independent advice if a person is unsure how, or whether, to raise a concern under this policy, and is available at any stage throughout the process. The Local Authority will also offer advice and guidance around this.

An external disclosure can also be made to the Local Authority Safeguarding Unit as a “prescribed person” (see Appendix C for a list of contact information) as Inspired Support is not regulated under the Care Quality Commission.

More information on whistleblowing can be found on the GOV.UK website:

www.gov.uk/whistleblowing

5. Inspired Support’s response to a whistleblowing disclosure

If the concern of the whistleblower is a matter for the Whistleblowing Policy, then a decision must be taken on an appropriate course of action, and a written response made to the person raising the concern(s) within **six weeks** of the date of notification of concern. This must include information on:

- who is handling the concern.
- how they can be contacted.
- what further assistance may be required from the worker.
- whether the whistleblower has any personal interest in the concern raised.
- an offer of a written record outlining the concern(s).
- a description of what action, if any, will be taken and the time scale to be followed.
- how the worker will be kept informed about the investigation and its outcome.

The response to a concern being raised could include any or all of the following:

- formal investigation by the Lead worker/Director or internal audit (which could involve the Director appointing appropriate workers internally to investigate).
- referral to the Police.
- establishing an independent inquiry.

The investigating officer will investigate the concern comprehensively. They will keep the whistleblower informed about the action they have taken, but will not give details and the whistleblower will not have a say in how we deal with their concern.

Inspired Support 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. Wherever possible, when outside agencies carry out an investigation, we will carry out our investigation in conjunction with that agency. Sometimes an investigation will uncover further information that we have to investigate separately. This might also result in disciplinary action.

Where required the Lead worker/Director shall take the necessary steps on Adult Safeguarding by making reference to the local authorities safeguarding strategy.

6. Confidentiality

All workers have the right to raise a concern in confidence under this policy. If a worker asks for their identity to be protected this must be respected wherever possible and details of the concern and the alleged perpetrator(s), including videos and photographic evidence, must only be shared on a need to know basis at the directors discretion, until an investigation has been concluded. If it is not possible to resolve the matter without revealing the identity of the whistleblower (for example, where evidence is needed in court) the appropriate lead worker or the Director will discuss with the worker in question whether and how the matter can go forward.

Anonymity cannot be maintained if this would have an adverse effect on any serious criminal proceedings. Workers should be made aware that making a disclosure anonymously means it can

be more difficult for them to qualify for protections as a whistle-blower. All concerns will be treated in confidence and every effort will be made to protect the whistleblower's identity.

7. Harassment or victimisation

Inspired Support will support concerned workers and protect them from reprisals or victimisation. Any worker who attempts to prevent another worker from reporting their concerns or who bullies, or attempts to intimidate or discriminates against a colleague in these circumstances, will be dealt with under disciplinary proceedings.

It is not necessary that the worker proves the malpractice or misconduct that he/ she is alleging. Simply raising a reasonable suspicion would suffice.

8. Responsibilities

Director:

- To approve and review the policy on a regular basis.
- To act in accordance with the policy.
- To ensure that all new sub-contracted workers and volunteers receive mandatory safeguarding and whistleblowing training as part of the induction process.
- To take reasonable steps to satisfy themselves that the policy is being implemented.
- To ensure there is a culture which promotes openness, transparency and learning, to enable workers to raise serious concerns that constitute whistleblowing.

Lead workers:

- To act in accordance with the policy
- To communicate the policy to other workers and volunteers and to ensure it is being implemented correctly.

All workers and volunteers:

- To act in accordance with the policy.
- To undergo mandatory safeguarding and whistleblowing training.

9. Governance

The Director of Inspired Support will maintain a record of all whistleblowing concerns, whether substantiated or not. This information will be used to analyse all concerns received on an annual basis to identify areas of risk. Where whistleblowing investigations identify that actions should be taken in order to make improvements, these actions will be reviewed under a quality assurance process.

SAFEGUARDING INTERNAL ALERT NOTIFICATION

Name of Alerter:	Workplace:
Date:	Format of information received:
Alleged Perpetrator(s):	Alleged victim(s):

Details (facts only, exact words used, no interpretation):

Alert passed on to:

Signed (Alerter):	Date:
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Signed (Responsible person):	Date:
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Appendix B

SAFEGUARDING INTERNAL ALERT DISCUSSION RECORD

Interviewer(s):	Date:
Worker(s):	Time:

Record of discussion:

Action taken:

Record agreed by (name/designation):	Date:

Appendix C

LOCAL SAFEGUARDING AUTHORITY CONTACT DETAILS

Newcastle:

0191 278 8377 (Monday-Friday, 8am-5pm)

0191 278 7878 (Evenings and Weekends)

Text: 07968474891 (Monday-Friday, 8am-5pm)

Email: scd@newcastle.gov.uk

Online: <https://mycarenewcastle.org.uk/form/SAIE?latest=true#!/>

Gateshead:

0191 433 7033 (24 hours)

Online: <https://www.gateshead.gov.uk/article/10277/Safeguarding-concern>

Northumberland:

Onecall: 01670 536 400

Text phone: 01670 536 844

Email: safeguardingreferrals@northumberland.gov.uk

North Tyneside:

0191 643 2777 (office hours)

0330 333 7475 (Evenings and weekends)

Online:

<https://mycare.northtyneside.gov.uk/web/portal/pages/safeguardingreport#assess>

South Tyneside:

0191 424 6000 (Monday to Thursday - 8.30am to 5pm, Friday - 8.30am to 4.30pm)

0191 456 2093 (Outside of the above office hours)

Online:

[https://www.southtyneside.gov.uk/13750?_ga=2.214015575.1377370728.1664281287-](https://www.southtyneside.gov.uk/13750?_ga=2.214015575.1377370728.1664281287-2138004532.1664281287&_gl=1*yiwqh1*_ga*MjEzODAwNDUzMi4xNjY0MjYxMjY3*_ga_DNGKJ1HWT8*MTY2NDI4MTI4Ny4xLjEuMTY2NDI4MTUxMC4xNi4wLjA)

[7-](https://www.southtyneside.gov.uk/13750?_ga=2.214015575.1377370728.1664281287-2138004532.1664281287&_gl=1*yiwqh1*_ga*MjEzODAwNDUzMi4xNjY0MjYxMjY3*_ga_DNGKJ1HWT8*MTY2NDI4MTI4Ny4xLjEuMTY2NDI4MTUxMC4xNi4wLjA)

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INTERNAL PROCEDURE FOR SAFEGUARDING

