

# Heritage Care at Home Ltd

## Whistleblowing Policy

Policy reviewed and valid from: 01/01/20

### Policy

Heritage Care at Home Ltd aims to be a good employer, encouraging open communication between staff and their managers; this will be in both directions. Staff are encouraged to comment freely and constructively on issues that may cause them concern within the workplace. Every member of staff has an obligation to report genuine concerns.

We hope that such situations are unlikely, however, they could conceivably arise when there are concerns of criminal activity or misconduct (including but not limited to):

- Breach of a legal obligation which includes negligence, breach of contract, breach of administrative law
- Miscarriage of justice
- Danger to health and safety or the environment
- Unauthorised disclosure of information or breach of confidentiality
- Use of confidential information for personal gain
- Conflicts of interest with personal or outside business commitments
- Misuse of Heritage Care at Home Ltd
- Receipt of gifts or hospitality
- Suspicions of abuse
- Inappropriate or unprofessional conduct
- Discrimination, bullying, harassment or victimisation
- Covering up any of the above in the workplace

Heritage Care at Home Ltd is committed to ensuring any staff concerns of this nature will be taken seriously and investigated and sets out to comply in all aspects with the Public Interest Disclosure Act 1998, staff will be protected and not victimised. Heritage Care at Home Ltd will keep any disclosure made under this policy as confidential as possible and will only disclose information to individuals on a need to know basis. These individuals may include, but will not be limited to, those named when making the disclosure and any witnesses or employees who can provide further information in relations to the disclosure.

Heritage Care at Home Ltd will make every effort to ensure that the whistleblower suffers no adverse repercussions from individuals under its control as a result of making the disclosure. Anyone found to be victimising a Whistleblower may be subject to disciplinary action, up to and including dismissal.

### Guiding Principles

To ensure that this policy is adhered to and to assure staff that their concern will be taken seriously, Heritage Care at Home Ltd will:

- Not allow the person raising the concern to be victimised for doing so
- Treat victimisation of whistle blowers as a serious matter which may lead to disciplinary action and may also include dismissal
- Not attempt to conceal evidence of poor or unacceptable practice
- Take disciplinary action if an employee destroys or conceals evidence of poor or unacceptable practice or misconduct
- Ensure confidentiality clauses in employment contracts do not restrict, forbid or penalise whistle blowing

## **Procedure**

Any individual wishing to report a concern should initially take their concerns in person to their Line Manager. It is recognised however, that an individual may feel that speaking up could be considered as disloyal to either their colleagues or the Company or an individual may feel they may be victimised or harassed if they do so

Reporting a concern can be done either verbally or in writing. It is recognised that for some individuals, raising a concern under this procedure may be a daunting and difficult experience. The individual(s) may choose to be accompanied or represented by a companion, colleague or Trade Union representative at any stage of this procedure. All reported concerns will be recorded and escalated to the appropriate Manager or where necessary Director who in conjunction with the Manager will appoint an appropriate individual to undertake the investigation.

The nominated investigating person will establish and record the basis of the concerns that have been raised, and establish what further actions are required. The individual raising the concern will be advised, of the outcome of the investigation as soon as possible, normally within two weeks of the date of their disclosure. Where a longer period is needed for investigation, the member of staff will be informed in writing. If when following an investigation, there is found to be a case to answer, the Heritage Care at Home Ltd Disciplinary Policy will then apply. The Manager will be able to provide support and advice as required.

It is envisaged, that investigations will be concluded within 15 working days from the receipt of the complaint as far as reasonably possible. Whether this is possible will largely depend on the complexity of the investigation, the availability of the individuals involved and the availability of evidence. Whilst it is important these matters are investigated quickly the investigation must not be compromised. In the event that the investigation extends beyond 15 working days all parties, will be informed and kept up to date with progress.

The Manager will take reports from whistleblowers seriously and all reports will be investigated thoroughly. Any allegations against colleagues that are found to be merely flippant or malicious may render the person reporting it liable to disciplinary action.