



Whistleblowing Policy and Procedure

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Action for Carers (Surrey) is a company Limited by Guarantee with Charitable status. Charity No. 1116714.

Registered office: Astolat, Coniers Way, Burpham, Guildford, GU4 7HL Company No: 5939327

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1. Purpose

Action for Carers (Surrey) is committed to conducting its operations in accordance with all applicable laws and regulations, and fully support the Nolan principles of selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

This Whistleblowing Policy (which also covers Public Interest Disclosure) provides a framework for staff, volunteers, and other stakeholders to raise concerns about alleged malpractice or wrongdoing within the charity without fear of reprisal.

If you have concerns about behaviours or an incident you have observed as part of your work in other settings e.g. a school, hospital or care home this should be raised directly with a member of senior management who will advise on the appropriate course of action.

In an emergency or where someone is at risk of serious injury or harm you should always call 999.

2. Scope

This policy applies to all employees, volunteers, contractors, trustees, and stakeholders associated with Action for Carers (Surrey).

3. Responsibilities

Board of Trustees: responsible for ensuring that there is a robust whistleblowing policy in place that gives staff and volunteers the opportunity to raise and escalate concerns about the way in which the organisation operates.

CEO: is responsible for ensuring the policy is implemented and developing a culture where staff feel confident to raise concerns.

COO: is responsible for maintaining the confidentiality of the whistleblower and the investigation process.

Managers / Team leaders: responsible for cascading the policy to their teams and ensuring there is a good understanding of how to report concerns.

Staff and Volunteers: responsible for maintaining own awareness of the policy, raising concerns and maintaining the confidentiality of any process they are involved in.

4. Definition of Whistleblowing

Whistleblowing is the act of reporting concerns about alleged malpractice or wrongdoing that may include, but is not limited to:

- Criminal activities
- Breach of legal obligations
- Miscarriages of justice
- Endangerment of health and safety

- Failings in safeguarding practices
- Damage to the environment
- Deliberate concealment of information relating to any of the above

It will not always be clear that a particular action falls within one of the categories and individuals should use common sense to decide if they think something isn't right. ACS would prefer a concern is reported rather than not.

5. Safeguards

We want our staff to feel safeguarded and protected in raising any concerns, where this is done so in good faith and where the whistleblower reasonably believes that the information disclosed, and any allegation contained in it are substantially true.

All concerns raised will be treated in confidence and every effort will be made to protect the identity of the whistleblower. If the process cannot be concluded without the identity being disclosed this will always be discussed beforehand. Whistleblowers may choose to raise concerns anonymously, though this may limit the ability to investigate the issue fully, or to update on the outcome of any investigation.

Action for Carers (Surrey) will not tolerate any form of retaliation, harassment, or victimisation against individuals who raise concerns in good faith.

6. Reporting Concerns

Concerns should be raised as soon as possible with the designated Whistleblowing Officer, who is the Chief Operating Officer, or in his / her absence the Chief Executive.

If the concern involves the Whistleblowing Officer, it should be reported to the Chief Executive, or in his / her absence the Chair of the Board of Trustees.

If the concern involves the Chief Executive, or a trustee, it should be reported to the Chair of the Board of Trustees.

If the concern involves the Chair then it should be reported to the Chief Executive who will seek independent external advice and support.

The investigation will follow the procedure outline in *Appendix A*.

If the allegations suggest a potential criminal offence has occurred the Whistleblowing Officer will contact appropriate authorities e.g. police or social services to ensure anyone at risk of harm is safeguarded, and to ensure there is no risk of compromising a criminal investigation.

7. External Reporting

We would encourage you to raise a concern using our internal processes in the first instance. If you are dissatisfied with the outcome of an investigation, or in exceptional circumstances you feel it more appropriate to report your concern directly to an external body, you have three options:

- Contact our auditors Sayer Vincent [020 7841 6360](tel:02078416360) or email info@sayervincent.co.uk.
- Contact the relevant regulatory body e.g. Health and Safety Executive, Charity Commission or other relevant organisation. See *Appendix B* for further information.
- If you are unsure of how to proceed and want to seek free, confidential advice you can contact Protect, a charity established to support and advise potential whistleblowers <https://protect-advice.org.uk/> or call: 020 3117 2520

8. Review of Policy

The Whistleblowing Policy will be reviewed every 3 years to ensure it remains effective and compliant with relevant laws and regulations.

Appendix A: Procedure for Raising Concerns

Step 1: Initial Reporting

- a. Concerns should be raised as soon as possible with the designated Whistleblowing Officer, who is the Chief Operating Officer, Rob Morello or in his absence the Chief Executive.
- b. If the concern involves the Whistleblowing Officer / COO, it should be reported to the Chief Executive, Tim Bevans or in his absence the Chair of the Board of Trustees.
- c. If the concern involves the Chief Executive, or a trustee, it should be reported to Alison Yard, Chair of the Board of Trustees.
- d. If the concern involves the Chair then it should be reported to the Chief Executive who will seek independent external advice.
- e. If the allegations suggest a potential criminal offence has occurred the Whistleblowing Officer should seek professional advice about the next steps so as not to risk compromising a criminal investigation.

Step 2: Acknowledgment

- a. The Whistleblowing Officer will acknowledge receipt of the concern, in writing, within 5 working days, and the whistleblower will be informed about the next steps and the anticipated timeline for the investigation.

Step 3: Investigation

- a. An initial assessment will be conducted to determine the scope of the investigation, and if necessary, an independent investigating officer may be appointed to ensure impartiality. The investigating officer may be internal (e.g. another member of SMT not directly involved) or external (e.g. a solicitor or other suitably experienced person).
- b. The whistleblower may be asked to provide further information or attend meetings as part of the investigation.
- c. The investigation will aim to be completed with 20 working days, and sooner where possible. However in more complex cases this may need to be extended and the whistleblower will be updated regularly in this instance.

Step 4: Outcome

- a. The outcome of the investigation will be communicated to the whistleblower, in writing, within 5 working days of the conclusion of the investigation. Where there are legal or other constraints, we will strive to give the whistleblower sufficient information about the outcome to enable them to be satisfied that the concern has been dealt with.
- b. If the investigation substantiates the concern, appropriate action will be taken to address the issue.
- c. If the concern is found to be unsubstantiated, the reasons will be communicated in writing to the whistleblower insofar as reasonably practicable within the limitations of data protection and other legal factors.
- d. If you are dissatisfied with the outcome you have the right to raise your concern externally.

Appendix B: Relevant Authorities

The Charity Commission for England and Wales

Contact them about the proper administration of charities in England and Wales and of funds given or held for charitable purposes in England and Wales.

See [Report serious wrongdoing at a charity as a worker or volunteer](#).

Contact them about the proper administration of charities in England and Wales and of funds given or held for charitable purposes in England and Wales.

See [Report serious wrongdoing at a charity as a worker or volunteer](#).

Children's Commissioner for England

Contact them about matters relating to the rights, welfare and interests of children in England.

The Office of the Children's Commissioner

Sanctuary Buildings

20 Great Smith Street

London

SW1P 3BT

Tel: 020 7783 8330 Email: info.request@childrenscommissioner.gov.uk

Website: www.childrenscommissioner.gov.uk

The Information Commissioner

Contact them about compliance with the requirement of legislation relating to data protection and to freedom of information.

The Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

SK9 5AF

Tel: 0303 123 1113

Email: icocasework@ico.org.uk

Website: www.ico.org.uk

His Majesty's Chief Inspector of Education, Children's Services and Skills ('the Chief Inspector')

Contact them about matters relating to the welfare of children provided with accommodation by boarding schools, colleges and residential special schools.

The Chief Inspector

Ofsted

Piccadilly Gate

Store Street

Manchester

M1 2WD

Tel: 0300 123 3155

Email: whistleblowing@ofsted.gov.uk

The Health and Safety Executive

Contact them about:

- their functions under the Network and Information Systems Regulations 2018
- the industries and work activities for which the Health and Safety Executive is the enforcing authority under the Health and Safety (Enforcing Authority) Regulations 1998
- the health and safety of individuals at work, or the health and safety of the public arising out of or in connection with the activities of persons at work

Tel: 0300 003 1647

Online form: www.hse.gov.uk/contact/concerns.htm

Care Quality Commission

Contact them about matters relating to the provision of health and social care.

CQC National Customer Service Centre

Citygate

Gallowgate

Newcastle upon Tyne

NE1 4PA

Tel: 03000 616161

Email: enquiries@cqc.org.uk

Website: www.cqc.org.uk

Healthwatch England

Contact them to provide feedback on Health and Social Care issues.

Healthwatch England

2 Redman Place,

London

E20 1JQ

Email: enquiries@healthwatch.co.uk

Tel: 03000 683 000 (Monday to Friday, 8:30am to 5:30pm)

Website: www.healthwatch.co.uk

National Guardian's Office

Contact them about matters concerning the freedom to speak up arrangements and cultures in the NHS in England, including where cases of issues raised by workers may not have been handled in accordance with good practice.

National Guardian's Office

2 Redman Place,

London

E20 1JQ

Tel: 0191 249 4400 (Monday to Friday, 10am to 2pm)

Email: enquiries@nationalguardianoffice.org.uk

Website: www.nationalguardian.org.uk

A full list can be found at: <https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2/whistleblowing-list-of-prescribed-people-and-bodies>