

WHISTLEBLOWING POLICY

Affinity Trust reviews all policies on an annual basis or as there are changes in good practice, legislation, regulations, contract compliance or lessons learnt from incidents or investigations. If there are no changes to the policy a new policy will not be issued until the reissue date listed below, where changes have been made these will be issued with a new date of issue

Author/Reviewer: Kirsten Martin, Divisional Director	Approver: Donna Leedham, Director of Quality Improvement and Compliance
Latest Issue Date: September 2023	Date policy will be reissued: June 2025
	Version No: 07

1.0 SAFEGUARDING STATEMENT OF INTENT

Affinity Trust is committed to providing high quality person-centred support to people with learning disabilities and autism. Fundamental to this is the need to ensure that the people we support have their dignity and human rights respected, are safe, and free from the risk of abuse, neglect and exploitation.

We will not tolerate people we support suffering any form of abuse and staff found guilty of abusing someone will be subject to disciplinary action, and in most cases, dismissal.

Affinity Trust supports children and adults and therefore has a suite of policies that safeguard and protect the people we support which include:

- Safeguarding of Vulnerable Adults (England)
- Adult Support and Protection (Scotland)
- Child Protection
- Prevent
- Whistleblowing

In addition, we have a number of other policies that provide guidance to staff in specific areas referred to in this policy and these are listed at the end of each policy for reference.

2.0 VALUES

Affinity Trust takes a personalised approach to safeguarding individuals whom we support and promotes a culture that is person-centred, supports choice and control, and aims to tackle inequalities.

We are committed to preventing and reducing incidences of abuse and neglect of people. We review all incidences of alleged abuse to improve the safety and well-being of the people we support.

In the event that abuse takes place or is alleged to have taken place, we will ensure people are treated sensitively and with compassion and will ensure that people are supported to achieve a resolution that is right for each of them individually and protects other people.

We are committed to improving outcomes for people if abuse or neglect has occurred.

All people we support will be listened to, supported and safeguarded if they disclose abuse. There is a legal requirement to disclose abuse and therefore we cannot guarantee absolute confidentiality in such situations. However, we will act sensitively.

After a disclosure, the victim of abuse will be involved in making decisions about how they wish to proceed, and if necessary, referred to advocacy services or other sources of support.

The wishes of people we support should only be overridden if it affects the safety of others, or the person does not have the capacity to make this decision for themselves. However, for children / young people their welfare is of paramount importance and overrides the young person's decisions if these will cause them harm. Staff must therefore be familiar with the relevant legislation as outlined in Affinity Trust's policies and refer to these policies for further guidance.

3.0 AIMS

- To protect and promote a person's rights to live safely and free from abuse and neglect
- To provide support to people which promotes the above values
- To comply with the relevant legislation, which varies depending on the age of the person concerned and the country (England/Scotland) in which people live
- To comply with the relevant Local Authority / Council policies and procedures depending on the person's age and geographical location
- To promote continuous learning which reduces risks and prevents incidences of abuse
- To provide information and reports of incidences and near misses of abuse both internally to the Executive Team and Board of Trustees and its committees, especially the Quality Committee
- To report incidences of alleged abuse to the relevant local authorities and regulatory bodies

4.0 METHODS USED TO MINIMISE ABUSIVE INCIDENTS

- Promotion of practice and policies that aim to prevent abuse from occurring
- Robust recruitment checks are completed for all Affinity Trust staff including checks against registers barring people from working with children and adults
- Regular checks on staff against the register as outlined in the policies are completed
- Induction, training and guidance is provided to our staff and all managers to maintain their knowledge and competency
- Staff are referred to the relevant barring registers as required by the appropriate legislation if they are removed from working with children or adults in the organisation
- Our policies and procedures are reviewed on a regular basis to keep the policies updated in line with relevant legislation and good practice
- There are established and well maintained effective systems for reporting, managing and recording abuse if it occurs both internally and externally to relevant bodies
- Information is provided to the people we support, staff and families in easy read formats about abuse and how to report it
- Robust investigations are completed as required in line with the relevant Local Authority / Council and Affinity Trust's policies and procedures
- Any alleged or actual incidents of abuse across the organisation are analysed to identify any trends / patterns and take action to prevent and reduce any further incidents
- We share good practice following any incidents or "near misses" of abuse

5.0 INTRODUCTION AND POLICY STATEMENT

Affinity Trust takes very seriously any form of malpractice or abuse and has created this policy to enable staff to raise concerns about such malpractice without fear of repercussion. This is known as “whistleblowing.”

The Whistleblowing Policy is designed to provide staff with protection and the reassurance that they will be listened to and their information will be acted upon. Enabling staff to feel assured that serious matters of abuse or malpractice will be addressed regardless of how they are brought to the attention of the correct people within the organisation or, if necessary, to the appropriate authority outside the organisation. If someone raises a concern in good faith and believe it to be substantially true it will not matter if their belief is mistaken.

Definition

Whistleblowing can be seen as ‘making a disclosure in the public interest’ because the person is raising a concern about wrongdoing, danger or illegality that affects others, for example other employees, people we support, or members of the public. Affinity Trust also considers “whistleblowing” to be in the best interest of the organisation, the people we support and employees if it enables serious matters to be reported and investigated which otherwise might not be.

As an early warning system, whistleblowing can help alert employers to risks such as;

- Any form of abuse of people we support
- Harassment of staff
- Dishonesty, fraud and corruption
- Conduct which is in breach of the law
- Procedures or practices or breaches of procedures which put at risk people we support, staff or members of the public

This list is not meant to be exhaustive.

When considering raising a concern under the Whistleblowing Policy in relation to the people we support attention should be given to the Safeguarding of Vulnerable Adults Policy and Procedure (England) if working in England or the Adult Support and Protection Policy if working in Scotland. In the instance that any concerns you have are in relation to a child then consideration should be given to our Child Protection Policy to ensure that as an organisation we are following the correct procedure and acting in a timely manner to safeguard people.

5.1 Anyone who is unsure whether to raise a concern using the Whistleblowing Policy should in the first instance speak with either their Line Manager or one of Affinity Trust’s HR Business Partners.

Alternatively if you are unsure about raising a concern via a member of Affinity Trust management or an HR representative, you may contact ‘Safecall’ or contact via their website as below.

Safecall Telephone Number: 0800 915 1571
Safecall Website: www.safecall.co.uk/report.

The most important thing is that your concerns are reported and that people we support and staff members are free from abuse.

- 5.2** All managers must recognise that reporting under this policy is often a difficult action for employees to take as they may well feel at some risk. Consequently, it is important to develop a culture in which the reporting of concerns is welcomed and that such reporting is responded to positively.

6.0 PROCEDURES FOR REPORTING CONCERNS

- 6.1** If you have a concern about malpractice, we hope you will feel able to raise it first with your line manager. This may be done verbally or in writing.
- 6.2** If you feel unable to raise the matter with your line manager, for whatever reason, then you are encouraged to go directly to their line manager, a member of the HR team or any other senior manager at a level that makes you feel more comfortable and confident.

Staff who raise concerns may invite a trade union representative or a colleague to be present for support during any meetings or interviews in connection with the matter.

If you ask us to protect your identity, we will make every effort not to disclose your identity during the investigation. If the situation arises where we are not able to resolve the concern without revealing your identity (for instance because your evidence is needed in court), we will discuss this with you and how we can proceed.

Affinity Trust will not tolerate the harassment or victimisation of anyone raising a genuine concern. As set out above, if someone raises a concern in good faith and believes it to be substantially true it will not matter if their belief is mistaken.

You will be asked to provide the following information:

- The nature of the concern and why you believe it to be true
 - The background and history of the concern (giving relevant dates)
- 6.3** Should you not feel comfortable raising the concern directly with a member of Affinity Trust management, we urge you to contact Safecall, an independent, confidential external reporting service on **0800 915 1571** or via their website: www.safecall.co.uk/report. This is a 24/7 service and you do not need to give them your name if you prefer not to. They are staffed by highly skilled professional call handlers. Safecall will log your concern and summarise it in a report to - Director of Quality Improvement and Compliance, Head of People or the Chief Executive. They will appoint a relevant manager to investigate your concerns.

Please bear in mind that we may not be able to investigate your concern effectively if we do not know where it has arisen. If your concern is about that member of senior management,

they will refer the matter to the alternative member of Executive Team or the Chief Executive.

7.0 WHAT YOU CAN EXPECT FROM US

- 7.1** Once you have told us of your concern we will look into it to assess initially what action should be taken. This may involve informal inquiries or a more formal investigation.
- 7.2** If you have reported your concern via Safecall, they will give you a password to their portal so you're able to see and amend your concern or provide more details. They will notify the allocated member of senior management as set out in paragraph 2.3 above on the following working day after your report to them.
- 7.4** Once you have raised a concern, either internally or via Safecall, and have consented to be contacted about it, we will acknowledge receipt of it within 3 working days and tell you who will investigate your concern. The person nominated to investigate will contact you to discuss your concern in detail.
- 7.5** When you raise the concern, you may be asked how you think the matter might best be resolved. If you do have any personal interest in the matter, we do ask that you tell us at the outset. If your concern falls more properly within the Grievance Procedure we will tell you.
- 7.6** While the purpose of this policy is to enable us to investigate possible malpractice and take appropriate steps to deal with it, we will give you as much feedback as we properly can, if you have provided us with your name. If requested, we will confirm our response to you in writing. However, we may not be able to tell you the precise action we have taken where this would infringe a duty of confidence owed by us to someone else.
- 7.7** Any updates that we provide to you on the progress of our investigations must be treated in complete confidence. We will communicate our findings to you within 14 working days of receipt of your concerns, should we require further time to investigate we will communicate this to you within the 14 day period outlined above. However, there may be circumstances where it is not appropriate to discuss with you our findings, for instance in the case of a disciplinary procedure or where the requirements of GDPR may be breached.
- 7.8** If the matter has been investigated and you still have concerns a member of the Executive will review the investigation into your concerns to determine if any further investigation or action is required. The person for you to contact and their contact details will be outlined in the letter sent to you with the investigator's findings.
- 7.9** If you have followed this procedure and still have concerns, or if you feel that the matter is so serious that you cannot raise it within Affinity Trust or with Safecall, please contact the Care Quality Commission (England), Care Inspectorate (Scotland) for adults or alternatively the Local Authority Commissioning team in your area for both adults and children.

Useful Addresses – England



Care Quality Commission – National Correspondence
Citygate
Gallowgate
Newcastle upon Tyne
NE1 4PA

Tel: 03000 616161

Email: enquiries@cqc.org.uk

Useful Addresses – Scotland



Compass House
11 Riverside Drive
Dundee
DD1 4NY

Tel: 0345 600 9527

Email: enquiries@careinspectorate.gov.scot

Affinity Trust Head Office

Chief Executive
1 St Andrew's Court
Wellington Street
Thame
Oxfordshire
OX9 3WT

Tel: 01844 267800

Speak Up – NHS and social care helpline for England and Wales



Tel: [08000 724 725](tel:08000724725)

Monday - Friday 8am - 6pm

Online: <https://speakup.direct/contact-us/>

8.0 LEGISLATION

- 8.1** This policy is based on the belief that people should not be penalised for disclosing information about malpractice where the disclosure is in the public interest and the Public Interest Disclosure Act 1998 supports this approach.
- 8.2** This policy has been produced using Public Interest Disclosure Act - Whistleblowing Arrangements, code of practice.

9.0 RELATED POLICIES

- Adult Support and Protection Policy (Scotland)
- Safeguarding of Vulnerable Adults Policy and Procedure (England)
- Child Protection Policy (England)
- Grievance Policy



Signing Sheet

Please sign below to confirm you have read and understood the following document and will follow the policy. If you have any questions or need further information please speak to your line manager.

Name of Document / Policy	Latest Issue Date
Whistleblowing Policy	Sept 2023
Summary of Amendments since last issue (if known)	
Minor amendments throughout.	

Full Name	Date	Signature

Full Name	Date	Signature