



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.

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Key messages

Speak Up, We Listen

Definitions

- **Whistleblowing** – raising concerns where there is a risk to others
- **Grievance** – raising concerns where there is a risk to self
- **Safeguarding** – raising concerns about the abuse or neglect of someone we support, or someone you come into contact with, in your role working for Affinity Trust
- **Complaint** – concerns raised by someone we support, their relatives or representatives or those we represent about the support Affinity Trust provides

If in doubt, raise it!

If you have concerns about a risk, malpractice or wrongdoing at work, we want you to feel able to raise this.

You can contact your Support Manager, On-Call Manager, Line Manager, a member of the HR team or any senior Manager who will listen to your concerns.

Concerns can be raised verbally or in writing.

Alternatively, you can contact Safecall at any time:

<https://www.safecall.co.uk/file-a-report/> 0800 915 1571



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Policy

Affinity Trust provides support for people with a wide range of support needs, empowering people to be as independent as possible in line with our organisational value 'People are at the heart of everything we do'.

Central to every aspect of Affinity Trust's work is our commitment to providing support which protects peoples' dignity and human rights; keeping the people we support safe, and free from the risk of abuse, neglect and exploitation.

Affinity Trust support children, young people and adults in England and Scotland.

There are specific policies to meet the relevant legislation, Local Authority or Council policy depending on the age of the person we support, and where they live:

- Safeguarding of Vulnerable Adults: England
- Adult Support and Protection: Scotland
- Child Protection

Safeguarding is everybody's responsibility. Safeguarding policies apply to anyone working for Affinity Trust, including the Board of Trustees, Senior Leaders, paid staff, volunteers and agency staff.

Alongside our core Safeguarding Policies, Affinity Trust have additional policies which aim to keep the people we support safe, and free from the risk of abuse, neglect and exploitation:

- Whistleblowing
- Compliments and Complaints
- Grievance & Disciplinary
- Recruitment & Selection
- Governance and Quality Assurance Framework

Affinity Trust is committed to being an open, honest and accountable organisation, and we encourage a free and open culture between all employees regardless of their role; reflective of our value - We Work Together.

Definition

Whistleblowing is the name given to the act of the disclosure of information to the employer or the relevant authority by an individual who knows, or suspects, that the Organisation is responsible for or taken part in some wrongdoing.

Those making qualifying disclosures are protected against dismissal or detriment by The Public Interest Disclosure Act 1998.



Qualifying disclosures

Certain disclosures are prescribed by law as “qualifying disclosures”. A “qualifying disclosure” means a disclosure of information that you genuinely and reasonably believe is in the public interest and shows that the Organisation (in this instance, Affinity Trust) has committed a “relevant failure” by:

- committing a criminal offence
- failing to comply with a legal obligation
- a miscarriage of justice
- endangering the health and safety of an individual
- environmental damage or
- concealing any information relating to the above.

These acts can be in the past, present or future, so that, for example, a disclosure qualifies if it relates to environmental damage that has happened, is happening, or is likely to happen. Affinity Trust will take any concerns that you may raise relating to the above matters very seriously.

The Employment Rights Act 1996 provides protection for workers who ‘blow the whistle’ where they reasonably believe that some form of illegality, injustice or breach of health and safety has occurred or is likely to occur. The disclosure has to be “in the public interest”. We encourage you to use the procedure to raise any such concerns.

Should the concern not meet the requirement to be a qualifying disclosure, you should raise this under the Affinity Trust’s Grievance Policy. Where a concern is raised under the Whistleblowing Policy where it is not appropriate to do so, ie it relates to a personal grievance, you will be written to confirming that the matter will be addressed under the Grievance Policy.



Our Approach

With the assurances given to any colleague who raises a concern in good faith, we hope you will raise your concern openly.

However, we recognise that there may be circumstances when you would prefer to speak to someone in confidence first. If this is the case, please say so at the outset. If you do not wish to disclose your identity, this will not be done without your consent unless required by law. You should understand that there may be times when we are unable to resolve a concern without revealing your identity, for example, where your personal evidence is essential (for example in court cases). In such cases, we will discuss with you whether and how the matter can best proceed.

Please remember that if you do not tell us who you are it will be much more difficult to look into the matter. We will not be able to protect your position or to give feedback. You should not assume we can provide the assurances we offer in the same way if you report a concern anonymously.

Where an individual does not wish to come forward as a witness, Affinity Trust retains the right to pursue the matter further but will respect the anonymity of the individual. However, it must be noted that this may ultimately prevent Affinity Trust from being able to proceed.

Concerns expressed anonymously are much less powerful but will be considered at the discretion of the Executive Team, who will consider:

- The seriousness of the issues raised
- The credibility of the concern
- The likelihood of confirming the allegation from attributable sources.

The procedure below should ensure that your concern can be addressed and dealt with internally. If you are unsure whether Whistleblowing is the right route to take, you can speak with your Line Manager; a member of the Senior Leadership Team, Exec or HR.

If you do not feel able to speak with anyone listed above, you can contact Safecall – an independent, external organisation who will listen to your concerns and provide advice on next steps. You can contact Safecall at any time:

Safecall Telephone Number: 0800 915 1571

Safecall Website: www.safecall.co.uk/report

Safecall will share a summary of the concern with Affinity Trust, but you can remain anonymous if you wish.

Remember – if in doubt, raise it!



Raising a concern

If you have a concern about a risk, malpractice or wrongdoing at work, we hope you will feel able to raise it firstly with your Line Manager. You can do this verbally or in writing.

If, for any reason, you feel unable to raise the matter with your Line Manager, we encourage you to go directly to a member of the HR team or any other senior manager that makes you feel more comfortable and confident.

Colleagues who raise concerns may invite a trade union representative or another colleague to be present for support providing the person is not involved in the investigation,

At this stage, we will ask you to provide:

- The nature of the concern and why you believe it to be true
- The background and history of the concern (giving relevant dates)

When you raise a concern, it will be helpful to know how you think the matter might best be resolved. If you have any personal interest in the matter, we ask that you tell us at the outset. If we think your concern falls more properly within our grievance, harassment and bullying or other relevant procedure, we will let you know.

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.

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. Safecall will share a summary of your concern with Affinity Trust on the following working day after your report to them.

Once you have raised a concern, either internally or via Safecall, and have agreed 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 then contact you to discuss your concern in detail.

We will give you as much feedback as we can, if you have provided us with your name. You can ask us to confirm our response to you in writing if you want to. Remember that we may not be able to tell you the precise action we have taken as this may be confidential to the person involved such as where disciplinary action is taken. You will need to keep any feedback or updates that we provide you confidential.

We aim to provide feedback as soon as possible, and within 14 working days of receiving your concern. If we need more time, we will let you know and give you an expected date for feedback.

Once your concerns have been investigated, and feedback has been shared with you, you will receive a letter which explains who you can contact if you still have concerns. This will usually be a member of the Executive Team, and their contact details will be given to you in the letter.

If you still have concerns, or if you do not feel able to raise your concern within Affinity Trust or with Safecall, you can 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.

Care Quality Commission – National Correspondence

Citygate
Gallowgate
Newcastle upon Tyne
NE1 4PA
Tel: 03000 616161
Email: enquiries@cqc.org.uk

Care Inspectorate 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
Monday - Friday 8am - 6pm
Online: <https://speakup.direct/contact-us/>

Protection against detrimental treatment

Everyone who raises matters of concern under this policy are protected against detrimental treatment, up to and including dismissal, because they have made a disclosure.

Bullying, harassment or any other detrimental treatment afforded to a colleague who has made a qualifying disclosure is unacceptable. Anyone found to have acted in such a manner will be subject to disciplinary action.



Other relevant information

Related Policies

- Adult Support and Protection Policy (Scotland)
- Safeguarding of Vulnerable Adults Policy and Procedure (England)
- Child Protection Policy (England)
- Grievance Policy
- Bullying & Harassment Policy
- Complaints Policy
- Grievance & Disciplinary Policy
- Recruitment & Selection Policy
- Duty of Candour Guidance and Procedure
- Quality Assurance Framework Policy

Related Legislation

- Employment Rights Act 1996
- Public Interest Disclosure Act 1998)