

Working For SeeAbility Whistleblowing (Speaking Up) Policy and Procedure

Contents:

Working For SeeAbility Whistleblowing (Speaking Up) Policy and Procedure	1
Policy ownership	1
1. Introduction	1
2. Scope	2
3. What is whistleblowing	3
3. Reporting Concerns	4
3.1 Reporting directly to SeeAbility	4
3.2 Reporting in exceptional circumstances	5
3.3 Raising a concern anonymously	5
3.4 Reporting Protection	6
4. Investigation	7
4.1 Investigation of concerns	7
4.2 Confidentiality	7

Policy ownership

Policy owner: Head of People

Last reviewed and updated: January 2024

Next review due: January 2027

1. Introduction

SeeAbility reserves the right to amend this Policy and Procedure from time to time for in the light of practical experience and developing practice including changes in legislation and employee relations requirements. Any such changes will be communicated to colleagues.

- Respect is our starting point
- We spark imagination
- We learn together to be our best
- We believe in each other

SeeAbility encourages an open culture for reporting any concerns about its work and service provision. This enables the Charity to investigate and address any issues and to work to continuously improve what it does. SeeAbility recognises that it must have in place effective and honest communication and management systems to facilitate this.

The purpose of the whistleblowing policy and associated guidance is to ensure that all colleagues are aware of their right to come forward with any concerns they may have with a clear understanding of the guidance that is available and the processes in place to support and protect them from any improper consequences of their actions.

2. Scope

The Policy applies to all those who work for SeeAbility whether full or part-time, self-employed, employed through an agency or a volunteer.

The policy does not cover individual grievances about their employment situation or how they have been treated. Issues of this nature should be raised under the Grievance Policy or Bullying and Harassment policy, depending on the individual nature of the issue.

This policy should be read in conjunction with:

- SeeAbility Safeguarding Adults at Risk Policy (3.8 – Operational Manual) which outlines our duty to report any safeguarding concerns relating to adults at risk and provides a process through which these should be raised internally and with the Local Authority in which the alleged abuse takes place.
- SeeAbility Complaints Policy & Procedure (3.11 – Operational Manual) which provides a process through which people who use SeeAbility's services, their relatives or representatives may raise a concern or make a complaint about the report they receive.

3. What is whistleblowing

Whistleblowing is reporting a concern around wrongdoing, the law provides protection for workers who raise legitimate concerns about specified matters. These are called 'qualifying disclosures'. A qualifying disclosure is one made in the public interest by a worker who has a reasonable belief of wrongdoing relating to:

- a criminal offence;
- a failure to comply with a legal obligation;
- a miscarriage of justice;
- a risk to the health and safety of an individual;
- damage to the environment; or
- an attempt to cover up any of the above.

It is not necessary for you to prove the wrongdoing. However, to be protected by whistleblowing laws against detrimental treatment or dismissal, you must reasonably believe that wrongdoing (related to one of the categories listed above) is being, has been, or is likely to be committed and that your disclosure is in the public interest.

Within Health and Social Care whistleblowing is also the act of reporting suspected wrongdoing or risk of wrongdoing. This could be malpractice, possible illegality, fraud, corruption or other dangerous activity.

Examples of malpractice that we would expect employees to report (this is not an exhaustive list):

- intentional or willful harm or physical, psychological or financial abuse of a person we support
- theft, fraud, deliberate falsification of records
- assault on another person or threat of violence or offensive behavior
- serious acts which cause unacceptable loss damage or injury
- serious acts of insubordination
- unauthorised use of property not belonging to you
- deliberate damage to property belonging to SeeAbility or of those we support
- willful disobedience of a reasonable instruction
- serious breach of confidentiality or trust

- deliberate disregard of a safety regulation or requirement
- unethical or fraudulent fundraising practices or practices that may be in breach of the Code of Fundraising Practice
- sleeping on duty unless this is permitted
- behaviour that seriously damages the employer's trust and confidence in the employee
- acts of negligence
- consumption of alcohol or drugs whilst at work
- any other substantive reason

Inevitably, from time to time there may be areas of practice that raise concerns which need to be investigated and addressed. This is especially important given the majority of activity that is in areas that may require subjective judgment on how care, support and services should be provided. There may be times when someone becomes aware of practices, actions or inactions which occur at work and which they believe could have serious consequences for the people we support, an employee or SeeAbility as a whole, these should be raised so they can be investigated.

3. Reporting Concerns

3.1 Reporting directly to SeeAbility

If you have any concerns you must report them as early as possible so as to reduce the risk of any problem becoming more serious.

In most situations an employee should be able to raise concerns with their immediate manager so that appropriate action may be taken. However, where the employee does not feel able to do this, or they believe their manager has not yet acted upon the concern raised they can contact with a more senior manager.

If the employee wishes to report the concern to another level of management and/or to have a confidential meeting they may contact the nominated Lead for Whistleblowing:

Lisa Hopkins Chief Executive SeeAbility
Central Office, Wesley House, Bull Hill, Leatherhead KT22 7AH
Mobile: 07368490056
Email: l.hopkins@seeability.org

3.2 Reporting in exceptional circumstances

Our Policies aim is to resolve issues as close to the place of work where an incident may have occurred. We aim to resolve matters quickly and without the initial involvement of an outside agency. However, there may be exceptional circumstances when it will be necessary and our duty to involve someone from outside SeeAbility. For example:

- in the case that a concern involves a very senior colleague the matter can be reported to the Chair of the Board
- when a criminal offence has been committed, these can be reported to the Police
- cases relating to abuse of a vulnerable adult. These are referred to the relevant local authority, safeguarding and the Care Quality Commission (CQC)

3.3 Raising a concern anonymously

The best way for anyone to raise a concern is to do so openly and colleagues are therefore we discourage making a disclosure anonymously. Being open and honest will make it easier for SeeAbility to assess the issue being raised, work out how to investigate the matter, understand any motive and obtain more information We encourage anonymous reporting over remaining silent. Although we will investigate any concern that is reported anonymously as best we can, an anonymous report is likely to be more difficult for us to investigate and we will not be in a position to provide you with any feedback.

If you feel unable to report your concern to SeeAbility directly, it is possible to do so anonymously through an external whistleblowing service provided by an independent company: Safecall.

Safecall provide an independent, external reporting line where you can raise your concerns about SeeAbility and be assured they will be fully addressed. Each call is treated in complete confidence by trained Safecall colleagues who will summarise the content of the call and send it to the Chief Executive, Operations Director and the Head of Quality & Safeguarding to arrange investigation and action as appropriate. Safecall will not disclose your name to SeeAbility if you wish to remain anonymous.

You can contact Safecall at any time on the freephone number below:



The Safecall line is available 24/7 365 days. Alternatively, Safecall can be contacted via e-mail <mailto:seeability@safecall.co.uk> or via the web <http://www.safecall.co.uk/report>.

3.4 Reporting Protection

Under the Public Information Disclosure Act, the law says that a person who whistleblows is protected from the risk of losing their position or suffering any form of reprisal as a result, provided that:

- It is made in good faith even though later turns out to be unjustified.
- The person reasonably believes that information, and any allegations contained in it, are substantially true.
- The person is not acting for personal gain.
- Making the disclosure does not involve the worker committing a criminal offence.

Raising a concern will nearly always lead to feelings of vulnerability. The colleague or volunteer and anyone, who is the subject of the concern, will be treated fairly and with respect. SeeAbility will be sensitive to potential tensions within the workplace and will offer support to colleagues and volunteers involved in any investigation process.

If a genuine concern is raised under the policy, colleagues and volunteers should be reassured that they will not be at risk of losing their job or suffering any detriment such as reprisal or victimisation. Additionally, disclosures made under this policy will not affect your immigration or visa status.

Where allegations are made that are malicious this will be treated very seriously and may lead to disciplinary action being considered against the individual concerned.

If a colleague or volunteer is prevented from making a confidential report or instructed to cover it up and are victimised, this will be treated as a serious disciplinary offence.

4. Investigation

4.1 Investigation of concerns

The employee has no responsibility for investigating the matter raised, it is SeeAbility's responsibility to ensure that an investigation takes place by the appropriate person/s once the concern has been raised.

The level of investigation and time this will take will vary depending on the nature of the suspected wrongdoing.

Following the investigation, if appropriate, the relevant manager will inform you in writing, as quickly as possible after completion of the investigation, of the outcome and any next steps or action that will be taken. While we aim to provide you with comprehensive feedback, in some cases this may not be possible, for example where data protection rules apply or there are sensitive issues that need to remain confidential.

4.2 Confidentiality

SeeAbility will treat any colleague or volunteer and the concerns raised with confidentiality, wherever this is possible, and support will be given throughout the process. It may not be possible to conceal the source of information if it is determined that other statutory or organisational procedures need to be invoked. In some situations, such as disciplinary procedures or referral to the Police, the colleague may be required to make a formal statement.

Version number	Approved date	Communication date	Summary of changes
1	21.1.2025	6.2.2025	Addition made to 3.4 'Additionally, disclosures made under this policy will not affect your immigration or visa status.'
1.1	15.9.2025	2.10.2025	Contact details for Lisa Hopkins updated