

# POLICY AND PROCEDURE: Whistleblowing

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## Document Control

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## 1.0 Purpose of this policy

**At The Blaggrave Trust our priority is ensuring the highest standards of openness, probity, accountability, and safety when working with, or funding, vulnerable groups.**

We recognise that despite thorough and robust recruitment, supervision, support, and due diligence in who we choose to employ, fund, or work alongside, we may, by omission or commission, behave in a way that is damaging to the public, individuals they support (children or adults, particularly adults at risk), or colleagues that may in themselves be adults at risk. As such this policy sets out how any individual may ‘whistle blow’ on any member of staff, member of non-constituted group or collective that sit under Blaggrave’s safeguarding policy, partner, volunteer, or trustee if their behaviour, actions, or conduct are a risk or threat of harm to others.

This Policy is available to the wider public. Anyone, including staff and members of partner organisations should feel confident to voice concerns wherever they see them without fear of reprisal. This is particularly true where concerns are regarding the actions or attitudes of our colleagues.

You can raise your concern at any time about an incident that happened in the past, is happening now, or you believe may happen in the near future.

## 2.0 Glossary of terms

<b>Vulnerable Adult</b>	An older term under the Care Act 2014 that has now been replaced with ‘Adult at Risk’ (see below).
<b>Adult at risk</b>	A person 18 years and over, where safeguarding duties apply, that meets the following criteria: <ul style="list-style-type: none"> <li>• has needs for care and support (whether or not the local authority is meeting any of those needs)</li> <li>• is experiencing, or at risk of, abuse or neglect.</li> <li>• as a result of those care and support needs, is unable to protect themselves from either the risk of, or the experience of, abuse or neglect.</li> </ul>
<b>Young adult</b>	Any person between the ages of 18 years and 30.
<b>Children</b>	As per the Children Act 2004, this is a legal term that refers to all those who have not yet reached their 18th birthday. Duty of care for this group may include those referred or accessing any activity or project delivered by The Trust or through that delivered by individual grantees who operate under The Trusts safeguarding policy and procedures.
<b>Adviser</b>	A person 18 years or older that is paid on a freelance basis by The Trust to provide expertise in specific youth-focused programs. These individuals are usually part of a group of

	advisers who are facilitated by an externally contracted facilitator.
<b>Non-constituted individuals / collectives</b>	A young adult or a collective of young adults who have received a grant from The Trust and whose funded work is not supported nor affiliated in any way with a charity or regulated body outside of The Trust. This person will most likely operate under The Trust's safeguarding policies and procedures, including this one.
<b>Delivery partner</b>	A group, individual or organisation that has received a grant from The Trust.
<b>Staff</b>	A paid individual with either an employment or freelance contract with Blaggrave (this does not include 'young advisors').
<b>Designated Safeguarding Lead (DSL)</b>	A role and person within the organisation who has ultimate responsibility for operational safeguarding processes and procedures.
<b>Designated Safeguarding Officer (DSO)</b>	Roles of one or more individuals within the organisation who supports the DSL, in a deputised role, to carry out their safeguarding duties.
<b>Trustee Safeguarding Lead (TSL)</b>	A role and person on the trustee board who is responsible for ensuring organisational compliance to legislation and external regulators.
<b>Disclosure Barring Service (DBS)</b>	A government service that helps employers make safer recruitment decisions.
<b>The Trust / Blaggrave</b>	The Blaggrave Trust

### 3.0 Scope for this policy

This policy is designed to enable anyone to raise concerns internally, at a high level, to disclose information which the individual believes shows suspected wrongdoing at work, i.e., 'malpractice or impropriety'. This is otherwise known as 'whistleblowing', or more formally, 'making a disclosure in the public interest'. Anyone can report things that aren't right, are illegal, or if anyone at work is neglecting their duties. This may include:

- **a criminal offence, for example fraud**
- **someone's health or safety is in danger, for example safeguarding**
- **risk or actual damage to the environment**
- **a miscarriage of justice**
- **the company is breaking the law, for example does not have the right insurance**
- **you believe someone is covering up wrongdoing**

It's important to note that whistleblowing is very different from a complaint or a grievance. It only applies when the person making the disclosure has no vested interest, i.e., is acting in good faith, and are acting as a witness to misconduct or malpractice, and the disclosure is in the public interest (this means it must affect others). The policy is written in

the context of the Public Interest Disclosure Act 1998 which protects workers who 'blow the whistle' on malpractices within their organisation.

**Protection** – If you raise a concern which you believe to be true, The Trust will take appropriate action to protect you from any harassment, victimisation, or bullying. If you are a staff member, you will not be at risk of losing your job with The Trust, nor will your whistleblowing influence any unrelated disciplinary action or redundancy procedures. If you are a partner, you will not be a risk of losing funding. The Trust will not tolerate any harassment or victimisation of a whistleblower (including informal pressures) and will treat this as a serious disciplinary offence, regardless of position or status.

**Confidentiality** – The matter will be treated confidentially if you request it, and your name or position will not be revealed without your permission unless The Trust has to do so by law. If the concern cannot be resolved without revealing your identity, the DSL, CEO, or Trustee (as appropriate to the nature of the allegation made) will discuss this with you and how to proceed.

**Anonymous Allegations** – The Trust encourages individuals to put their name to any disclosures they make, as it's recognised that concerns expressed anonymously tend to be far less effective. The Trust also recognises however, that there may be justifiable reasons, particularly within the interests of safeguarding, where individuals may choose to remain anonymous. Where allegations are made anonymously, it is however in the discretion of The Trust to investigate. In exercising this discretion, the following factors will be considered:

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

Where safeguarding allegations are made against staff or volunteers' conduct working with vulnerable groups, these allegations will always be treated as serious. In these instances, the LADO and Charity Commission will also be informed as outlined below. This may also include the police and DBS, where deemed appropriate by the DSL.

**Untrue Allegations** – If an individual makes an allegation in good faith, which is not confirmed by a subsequent investigation, no action will be taken against that individual. If, however, an individual makes malicious or vexatious allegations, particularly those that are targeted and persistent, this may incur its own investigation and potential disciplinary action towards that individual.

#### 4.0 How to make a whistleblowing disclosure

If you reasonably suspect that wrongdoing has occurred, is occurring, or is likely to occur, you may report it even if you do not have definitive proof.

If you are an employee, you should in most cases, first report your concern(s) to your line manager, who will deal with it if possible, unless the concern is of a safeguarding nature, which should be reported to the DSL.

If you do not feel comfortable in raising the concern with your line manager or it is not appropriate for a line manager to deal with the concern, or if you are not an employee, the concern should be referred to the CEO (or the DSL if it is related to safeguarding).

- **CEO** – Eli Manderson-Evans – [eli@blagravetrust.org](mailto:eli@blagravetrust.org)
- **DSL** – Valeria Tavares – [valeria@blagravetrust.org](mailto:valeria@blagravetrust.org)

You are encouraged to raise your concerns in writing where possible, setting out the background and history (giving names, dates, and places where possible) and indicating the reasons for your concerns. You may choose to use the dedicated [Whistleblowing Disclosure Form](#). Please note that the form will be reviewed by the Head of Operations / Designated Safeguarding Lead. You will be provided the option for your disclosure to be anonymous as per your whistleblowing rights.

Please see section 6.0 if your allegation is about or related in any way to the CEO.

How the concern will be dealt with, will depend on what it involves. It is likely that further enquiries and/or investigation will be necessary, including, where appropriate, the person who raised the concern being invited to attend at least one investigatory meeting. As the person raising the concern, you will be entitled to be accompanied by a work colleague or a mutually agreed third party, to support you. Further advice and guidance regarding this and other rights you have when whistleblowing can be found [here](#).

#### 5.0 Whistleblowing disclosures outside of The Trust

If you reasonably believe that the matter relates wholly or mainly to the conduct of a person, or body outside of The Trust, the disclosure should in the first instance be made to that other person's or bodies whistleblowing policy. In the instance no such whistleblowing policy exists, or you deem their whistleblowing procedures to be ineffective, then you should follow the directions of this policy and procedure.

There are occasions that as a funder, The Trust may be informed that an incident of wrongdoing has occurred in relation to a funded partner. It is the responsibility of The Trust

to ensure that that partner has reasonably and responsibly addressed the concern in line with their own whistleblowing procedures. This may include reporting to the police or LADO as required. Should this be found to not be the case, or information relating to serious incidents of this nature are found to have been covered up, The Trust will be obligated to carry out its own investigation in line with this policy and may as result, upon the outcome of that investigation, restrict or withdraw funding. This may also include in reporting the findings to prescribed bodies where appropriate.

## **6.0 What to do if you receive a whistleblowing disclosure**

On receipt of a whistleblowing allegation, any member of staff who receives and takes note of it must pass this information, as soon as is reasonably possible, to the appropriate designated investigating officer as follows (section 9 includes all contact details):

- Any disclosures regarding allegations of safeguarding should be reported directly to the DSL, bypassing all DSO's. It is the responsibility of the DSL to share allegations of this nature with the TSL to manage and investigate the concern. Where there is risk of reputational damage, or in very severe cases the CEO may also be informed. If the allegation is regarding the DSL or CEO, reports should be given directly to the TSL. In the instance the allegation is regarding the TSL, the DSL will use their discretion to inform either the Chair of Trustees, and/or the CEO.
- All other whistleblowing allegations should be directed to, and will be investigated by, the CEO. Should the allegation be against the CEO, or is in any way connected to, or related to the actions of the CEO, the allegation should be passed directly to the Chair of the Trustees who will nominate a second trustee or external party to act as the alternative investigating officer.
- Whistleblowing allegations against the Chair of Trustees should be passed to the Trustee Safeguarding Lead who will nominate an appropriate internal or external investigating officer.
- The whistleblower has the right at any time to bypass the line management or safeguarding structures and take their concern direct to the Chair of the Trustees. The Chair of the Trustees has the right to refer the concern back to management if they feel that management, without any conflict of interest, can more appropriately investigate the concern.

Should none of the above routes be suitable or acceptable to you if you are whistleblowing, then The Trust will ensure that a trained and appropriate independent party will be found who can better advise you on the possible internal and external avenues of complaint open to you.

If there is evidence of criminal activity, then the investigating officer should inform the police. Likewise, if the report alleges any harm posed to a child – internally or externally to The Trust – the DSL should promptly, without delay, inform the LADO specific to the local authority in which the alleged incident/harm took place. Similarly, if the report alleges any harm posed to an adult at risk – internally or externally to The Trust – then the Adult

Safeguarding Board for the local authority the alleged incident took place should be referred to by the DSL.

## **7.0 Timescales**

Due to the varied nature of whistleblowing allegations, which may involve internal/external investigators and/or the police, it is not possible to lay down precise timescales for such investigations. The investigating officer should ensure that the investigations are undertaken as quickly as possible without affecting the quality and depth of those investigations.

The investigating officer, should as soon as practically possible, send a written acknowledgement of the concern to the whistleblower (providing it is not an anonymous disclosure) and thereafter report back to them in writing the outcome of the investigation, and on the action that is proposed. If the investigation is a prolonged one, the investigating officer should keep the whistle blower informed, in writing, as to the progress of the investigation and as to when it is likely to be concluded. All responses to the person blowing the whistle should be in writing and sent to the email address provided when whistleblowing, marked as "confidential".

## **8.0 How we will investigate a whistleblowing disclosure**

The investigating officer should follow these steps:

- Full details and clarifications of the allegation should be obtained.
- The investigating officer should inform the member of staff against whom the complaint is made as soon as is practically possible. The member of staff will be informed of their right to be accompanied by a work colleague at any future interview or hearing held under the provision of these procedures. At the discretion of the investigating officer and dependant on the circumstances of the allegation, an alternative representative may be allowed (e.g., the individual's legal representative).
- Should the allegation be relating to safeguarding, the person to whom the concern is regarding will, without judgement or bias, neutrally be suspended with full pay from all, or parts, of their role to avoid further contact with vulnerable individuals whilst allowing an investigation to be thoroughly carried out.
- Allegations should be fully investigated by the investigating officer with the assistance where appropriate, of other individuals/bodies – legal or regulatory. This may include the involvement, where appropriate, of the Charity Commission, LADO, Police, or any other prescribed bodies at this stage.
- A judgement concerning the disclosure and its validity will be made by the investigating officer. This judgement will be detailed in a written report containing the findings of the investigations and reasons for the judgement. The report will be shared as appropriate to the nature of the allegation and outcome of the

investigation. A copy of the outcomes, where appropriate, may also be used to enable a review of The Trust's procedures.

- The investigating officer, including any regulatory or legal bodies, will decide what action to recommend. If the allegation is shown to be justified, this may include disciplinary action, or potential legal proceedings.
- The whistleblower should be kept informed of the progress of the investigations and, if appropriate, of the final outcome.

If the investigation finds the allegations unsubstantiated and all internal procedures have been exhausted, but the whistleblower is not satisfied with the outcome of the investigation, The Trust recognises the lawful rights of employees and ex-employees to make disclosures to prescribed persons or bodies such as the Health and Safety Executive, the NSPCC, the Charity Commission, social services, or, where justified, elsewhere. A list of prescribed people and bodies can be found below, and are also available in full on the Government [website](#).

## 9.0 Internal whistleblowing contact details

- **CEO** – Eli Manderson Evans [eli@blagravetrust.org](mailto:eli@blagravetrust.org)
- **Designated Safeguarding Lead** – Valeria Tavares [valeria@blagravetrust.org](mailto:valeria@blagravetrust.org)
- **Chair of the Trustees** – Segun Olowookere, [chair@blagravetrust.org](mailto:chair@blagravetrust.org)
- **Trustee Safeguarding Lead** – Claire Cannock, [tsl@blagravetrust.org](mailto:tsl@blagravetrust.org)

### Safeguarding related disclosures:

- **Trustee Safeguarding Lead** – Clare Cannock – [tsl@blagravetrust.org](mailto:tsl@blagravetrust.org)
- **Designated Safeguarding Lead** – Valeria Tavares – [valeria@blagravetrust.org](mailto:valeria@blagravetrust.org)

## 10.0 Useful external whistleblowing contact details

**ACAS** – Free impartial advice for employees and employers

- [www.acas.org.uk](http://www.acas.org.uk)

**Protect (formally Public Concern at Work)** – Whistleblowing charity providing confidential advice for individuals who have witnessed wrongdoing.

- <https://protect-advice.org.uk/>

**Citizens Advice Bureau** – Free confidential advice online, over the phone, and in person

- [www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)

**NSPCC Whistleblowing hotline:** 0800 028 0285

**DBS:** 03000 200 190

**LADO:** Google search “[local authority] LADO”

**Adult Safeguarding Board:** Google search “[local authority] adult safeguarding board”

## 11.0 Prescribed bodies

- [The Charity Commission](#)

- [Disclosure Barring Service](#)
- [HMRC](#)
- [The Health and Safety Executive](#)
- [The Environment Agency](#)
- [The Serious Fraud Office](#)
- [The Pensions Regulator](#)
- [The Information Commissioner](#)
- [The Financial Conduct Authority](#)