

Beyond Limits provides policies and procedures to promote safe and consistent practice across the Organisation. The framework laid down within our policies and procedures lets everyone know how we work and reflects our values and mission statement. Our policies and procedures are written to help us, employees of Beyond Limits, to make good, safe decisions.

Beyond Limits expects all employees to be familiar with the contents of all policies and procedures relevant to their role and to understand how to apply them within their daily work.

None of these documents stand alone, all fit within the larger framework of the way we work and any associated policies which are particularly relevant will be directly referenced.

## Whistle Blowing

---

### Whistle Blowing Policy – what this means to Beyond Limits

Whistle Blowing is an act of disclosing information of wrongdoing in the work place. Beyond Limits is committed to the highest possible standards of openness, probity and accountability. In line with that commitment, we wish to encourage employees, and others that we deal with, who have serious concerns about any aspect of the organisation's work to come forward and voice those concerns. Beyond Limits encourages an 'open door policy'.

This policy is to be implemented by all employees of Beyond Limits.

Other guidance to refer to includes Public Interests & Disclosure Act 1998, Employment Rights Act 1996, Duty of Candour, Duty of Care, Complaints and Grievance Policy and Confidentiality Policy.

Employees are often the first to realise that there may be something seriously wrong within a service. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or the organisation. They may also fear harassment or victimisation. In these circumstances, it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice.

This Confidential Reporting Code is intended to encourage and enable employees to raise concerns within the organisation rather than overlooking a problem or 'blowing the whistle'

outside. This Code makes it clear that you can do so without fear of victimisation, subsequent discrimination or disadvantage. Beyond Limits is committed to listening to concerns, taking them seriously and ensuring that they are dealt with promptly and fairly.

The Code applies to all employees and those working for the Beyond Limits on our premises, for example agency staff or trainees on vocational/work experience.

In addition to Beyond Limit's commitment to protect employees who raise concerns, the Public Interest Disclosure Act 1998 provides a worker with potential protection from detriment and dismissal for making a 'qualifying disclosure'. The Act encourages workers to raise matters internally with employers and where an internal whistleblowing policy exists, it steers the worker to use this.

Please note: there are legal requirements for 'qualifying disclosures' to be protected under the Act

### Good Practice:

- As a first step, you should normally raise concerns with your immediate line manager or their line manager. If you feel unable to speak to your team leader, for whatever reason, then you should speak to your service leader. If you do not wish to do this then you should speak to one of the Senior Service Leaders.
- If these channels have been followed but you continue to have concerns or believe that those listed above are implicated, then you should speak to the Director, Doreen Kelly.
- Concerns may be raised verbally or in writing. You will need to include the background and history of the concern (giving relevant details, e.g. names, dates) and the reason why you are particularly concerned about the situation. When raising a concern, you must declare any personal interest you have in the matter.
- The earlier you express the concern, the easier it is to investigate and where necessary take action. By highlighting concern you will protect others.
- Although you are not expected to prove beyond doubt the truth of an allegation, you will need to demonstrate that there are reasonable grounds for a concern. However, you must not attempt to investigate a concern or accuse individuals directly.

### How Beyond Limits will respond:

Beyond Limits will respond to your concerns. Do not forget that testing out your concerns is not the same as either accepting or rejecting them.

The action taken by the organisation will depend on the nature of the concern. Where appropriate, the matter raised may:

- Be investigated by management or internal audit
- Be referred for safeguarding investigation and to the relevant local safeguarding team
- Be referred to the Police
- Be referred to an external auditor
- Form the subject of an independent inquiry

To protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take.

Concerns or allegations that fall within the scope of specific procedures (for example, adult safeguarding, discrimination issues or financial irregularities) will normally be referred for consideration under those procedures to ensure safe practice.

Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required, this will be taken before any investigation is conducted.

Within ten working days, the person with whom you raised the concern will write to you:

- Acknowledging that the concern has been received
- Indicating how they propose to deal with the matter
- Giving an estimate of how long it will take to provide a final response
- Telling you whether any initial enquiries have been made
- Supplying you with information on support mechanisms
- Telling you whether the matter will be taken forward

Beyond Limits accepts that you need to be assured that the matter has been properly addressed and you will be informed of the outcome of the investigation. In some circumstances, however, it may not be possible to reveal the full details where this relates to personal issues involving a third party or legal constraints.

### **Anonymous Allegations:**

The Confidential Reporting Code encourages you to put your name to your allegation whenever possible. Concerns expressed anonymously or through a third party are much less powerful and may not be possible to investigate. The person to whom the concern is initially reported will discuss it with the Director, and it will be at their joint discretion as to whether the concern will be considered further.

In exercising this discretion, the factors to be considered would include:

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

### **Harassment or Victimisation:**

Beyond Limits recognises that the decision to report a concern can be a difficult one to make. However, you have a responsibility to the organisation and to those for whom you are providing a service to raise serious concerns using the approach outlined in the Confidential Reporting Code. Beyond Limits will not tolerate any harassment or victimisation (including informal pressures) and will act to protect you when you raise a concern in good faith.

Disciplinary action will be taken against an employee if they try to stop you from raising a concern or if an employee is responsible for any act of reprimand against you for raising a concern.

Any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary or redundancy procedures that already affect you.

If an allegation is found to be frivolous, malicious or for personal gain then disciplinary action may be taken.

### **Concerns about the Organisation**

As Beyond Limits promotes a culture of openness, it is hoped that employees would feel able to bring concerns to someone working in the organisation. However, if an employee felt that they could not do this, then:

- Employees can approach the NHS and Social Care Whistleblowing Helpline for confidential and independent advice – their contact details are:
  - Telephone: 08000 724 725
  - <https://www.gov.uk/whistleblowing>
- If you do not think your concerns have been taken seriously or investigated thoroughly you also have the option to contact the:
  - Care Quality Commission:
  - Phone: 03000 616161
  - Website: [www.cqc.org.uk](http://www.cqc.org.uk)



**Confidentiality:**

All concerns will be treated in confidence and every effort will be made not to reveal your identity if you so wish. It must be appreciated, however, that the investigation process may reveal the source of the information, and that a statement may be required, as part of the evidence and/or you may need to come forward as a witness at the appropriate time.