



# Whistleblowing Policy & Procedure

*All Services*

This policy and procedure forms part of the Quality Management system ISO 9001.

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Approved by:	Operations Board
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Associated Procedure and supporting documents:	

All Polaris companies are detailed in the current legal structure

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## Purpose and Objectives

The specific aims of this procedure are:

- To encourage the reporting of suspected wrongdoing, in the knowledge that concerns of workers and all who work on its behalf will be taken seriously and investigated;
- To provide guidance on how and with whom to raise concerns
- To reassure individuals that genuine concerns may be raised without fear of reprisals.

## Policy & Procedure Details

### Introduction

This policy applies to all employees and officers of the Polaris community who work on its behalf. This means that individuals performing functions for Polaris community such as agency workers, contractors or foster parents who have a concern outside of the complaints procedure for their service can also use it. This policy also reflects the principles set out in the Francis Review 'Freedom to speak up'. <http://freedomtospeakup.org.uk/the-report/>

Appendix 1 outlines the set of principles which have been adapted from the Freedom to Speak Up Report.

It is important to the business that any fraud, misconduct or wrongdoing by workers or officers of the Polaris community is reported and properly dealt with. The Polaris community therefore encourages all individuals to raise any concerns that they may have about the conduct of others in the business or the way in which the business is run. This policy sets out the way in which individuals may raise any concerns that they have and how those concerns will be dealt with.

## Background

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 that any of the following is being, has been, or is likely to be, committed:

- A criminal offence
- A miscarriage of justice
- An act creating risk to health & safety
- An act causing damage to the environment
- A breach of any other legal obligation
- Concealment of any of the above

It is not necessary for the worker to have proof that such an act is being, has been, or is likely to be, committed – a reasonable belief is sufficient. The worker has no responsibility for investigating the matter – it is the responsibility of Senior Managers to ensure that an investigation takes place.

A worker who makes such a protected disclosure has the right not to be dismissed, subjected to any other detriment, or victimised, because they have made a disclosure. Polaris Community Managers will encourage workers to raise their concerns under this procedure where they have a legitimate concerns and protects anyone making a complaint from reprisals. If a worker is not sure whether or not to raise a concern, they should discuss the issue with their line manager or the HR department.

## Principles

- Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. Individuals should be watchful for illegal or unethical conduct and report anything of that nature that they become aware of.
- Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation reported back to the worker who raised the issue.
- No worker will be victimised for raising a matter under this procedure. This means that the continued employment and opportunities for future promotion or training of the worker will not be prejudiced because they have raised a legitimate concern.
- Victimisation of a worker for raising a qualified disclosure will be a disciplinary offence.
- If misconduct is discovered as a result of any investigation under this procedure, the disciplinary procedure will be used, in addition to any appropriate external measures.

- Maliciously making a false allegation is a disciplinary offence.
- An instruction to cover up wrongdoing is itself a disciplinary offence. If told not to raise or pursue any concern, even by a person in authority such as a manager, workers should not agree to remain silent. They should report the matter to a director.
- This policy does not replace existing procedures e.g. grievance policy, bullying and harassment policy or the complaint procedure.
- Investigation will be carried out using this procedure and reference to Government guidance for employers.

## Procedure

1. In the first instance any concerns should be raised with the line manager. However if the person wishing to raise the concern does not wish to approach their line manager because they believe their line manager is involved in the wrong doing, then point 3 of this procedure should be followed.
2. The line manager will arrange an investigation into the matter (either by investigating the matter personally or immediately passing the issue to someone in a more senior position). The individual will be invited to a meeting to discuss their concerns. If it is agreed that they can bring a companion, all parties must agree to keep to strict confidentiality before and after the meeting and during any investigation that may follow. Subsequent meetings may be required as part of the investigation process. To investigate properly, there may be a need to involve specialists with particular knowledge or experience of the issues raised.

The allocated investigator will:

- undertake the task as promptly as possible,
- ensure appropriate confidentiality,
- provide relevant feedback to all concerned.

The individual will be kept informed of how the investigation is progressing and any predicted timescales. Sometimes, however, the person investigating the concerns may be unable to give the individual details about the investigation (or any action it leads to), as the Polaris community (the employer) needs to protect confidentiality and comply with legal obligations. It is understandable that this may be frustrating. The concerns will be addressed as fairly as possible, but we cannot guarantee the outcome of the investigation will be one that is acceptable towards the individual raising the concern.

- 3 If the individual is concerned that their line manager or a senior manager in the Polaris community is involved in the wrongdoing, has failed to make a proper investigation or has failed to report the outcome of the investigations to the operations board, they can inform Jo August (CEO) or any member of the operations board. Alternatively they can e-mail [Whistleblowing@polariscommunity.co.uk](mailto:Whistleblowing@polariscommunity.co.uk). Any Director approached or email to this address will be treated with the strictest confidence and all efforts will be made to protect the individual's identity unless they have provided consent for that information to be disclosed. An appropriate manager who is independent of the concerns raised will investigate the matter using the procedure outlined above.
  
- 4 If on conclusion of points 1, 2 and 3 (above) the individual reasonably believes that the appropriate action has not been taken, they may wish to report the matter externally. The legislation sets out a number of bodies to which qualifying disclosures may be made. These include:
  - Ofsted or other regulatory body
  - HM Revenue & Customs
  - The Financial Conduct Authority
  - The Competition and Markets Authority
  - The Health and Safety Executive
  - The Environmental Agency
  - The Independent Office for Police Conduct, and
  - The Serious Fraud Office

Any employee, worker or foster parent can raise matters under this policy. Equally the Polaris community reserves the right to use a more appropriate procedure after due consideration such as the relevant employee grievance or complaint procedure. If this occurs, the manager making that decision will set out their reasons in writing to the individual raising the concern. This does not affect the right of the individual to raise the matter with an external authority if they believe appropriate action has not been taken.

### Data Protection

When an individual makes a disclosure, the Polaris community will process any personal data collected in accordance with its data protection policy. Data collected from the point at which the individual makes the report is held securely and accessed by, and disclosed to, individuals only for the purposes of dealing with the disclosure.

## Reporting Concerns

If the individual is unable to report to their line manager/senior manager in the first instance, then they should email this address [Whistleblowing@polariscommunity.co.uk](mailto:Whistleblowing@polariscommunity.co.uk)

Any email to this address will be treated with the strictest confidence and all efforts will be made to protect the individual's identity unless they have provided consent for that information to be disclosed.

## Important Contacts for Whistleblowing (outside of Polaris)

We would always want to encourage and support individuals to raise a concern through one of the channels listed above, however, if for any reason they feel unable to do so, they can seek independent advice. This can be through a union or professional body or the independent whistleblowing charity Public Concern at Work (PCaW) on 020 7404 6609, or by email at [whistle@pcaw.org.uk](mailto:whistle@pcaw.org.uk). For further information please see their website at [www.pcaw.co.uk](http://www.pcaw.co.uk).

If the individual prefers not to do this, or they have tried and been dissatisfied with the results they can contact;

### England

Ofsted's dedicated Whistleblowing Hotline (0300 123 3155). It is staffed from 8am to 6pm, Monday to Friday. They can also email the Ofsted whistleblowing team ([whistleblowing@ofsted.gov.uk](mailto:whistleblowing@ofsted.gov.uk)) or send their concerns by post to: WBHL Ofsted Piccadilly Gate Store Street Manchester M1 2WD.

### Wales

Children's Commissioner for Wales  
Tel: 0808 801 1000 (freephone number) / 0179 276 5600  
Website: [www.childcomwales.org.uk](http://www.childcomwales.org.uk)  
<https://www.childcomwales.org.uk/about-us/investigation-advice/>

Care Inspectorate Wales  
Tel: 0300 7900 126  
Website: <https://www.careinspectorate.wales/contact-us/raise-concern>

### Scotland

Children and Young People's Commissioner Scotland  
Tel: 0131 346 5350  
Website: [www.cypcs.org.uk](http://www.cypcs.org.uk)  
<https://www.cypcs.org.uk/whistleblowing/>

### Northern Ireland

NI Direct Government Services at <http://www.nidirect.gov.uk/protection-of-whistleblowers>

## Summary of Changes since the last version:

12/12/22 - Additional section on Reporting Concerns.

07/03/23 – Additional information to include Freedom to Speak Up principles.

12/10/23- Additional information on reporting concerns with new email address and contact details.

### Appendix 1 - Adapted from Freedom to Speak Up

Principle 1 Culture of safety: Every service should actively foster a culture of safety and learning, in which all staff feel safe to raise concerns.

Principle 2 Culture of raising concerns: Raising concerns should be part of the normal routine business of any well led organisation.

Principle 3 Culture free from bullying: Freedom to speak up about concerns depends on staff being able to work in a culture which is free from bullying and other oppressive behaviours.

Principle 4 Culture of visible leadership: All employers should demonstrate, through visible leadership at all levels in the organisation, that they welcome and encourage the raising of concerns by staff.

Principle 5 Culture of valuing staff: Employers should show that they value staff who raise concerns, and celebrate the benefits for children and families we work with, from the improvements made in response to the issues identified in the Freedom to Speak up Report.

Principle 6 Culture of reflective practice: There should be opportunities for all staff to engage in regular reflection of concerns in their work.

Principle 7 Raising and reporting concerns: All organisations should have structures to facilitate both informal and formal raising and resolution of concerns.

Principle 8 Investigations: When a formal concern has been raised, there should be prompt, swift, proportionate, fair and blame-free investigations to establish the facts.

Principle 9 Mediation and dispute resolution: Consideration should be given at an early stage to the use of expert interventions to resolve conflicts, rebuild trust or support staff who have raised concerns.

Principle 10 Training: Every member of staff should receive training in the organisation's approach to raising concerns and in receiving and acting on them.

Principle 11 Support: All organisations should ensure that there is a range of persons to whom concerns can be reported easily and without formality. They should also provide staff who raise concerns with ready access to mentoring, advocacy, advice and counselling

Principle 12 Support: Where a worker who has raised a concern cannot, as a result, continue in their current employment, the organisation should fulfil its moral obligation to offer support.

Principle 13 Transparency: All organisations should be transparent in the way they exercise their responsibilities in relation to the raising of concerns, including the use of settlement agreements.

Principle 14 Accountability: Everyone should expect to be held accountable for adopting fair, honest and open behaviours and practices when raising or receiving and handling concerns. There should be personal and organisational accountability for:

- poor practice in relation to encouraging the raising of concerns and responding to them
- the victimisation of workers for making public interest disclosures
- raising false concerns in bad faith or for personal benefit
- acting with disrespect or other unreasonable behaviour when raising or responding to concerns
- inappropriate use of confidentiality clauses.



Principle 15 Review: review the handling of concerns raised by workers and/or the treatment of the person or people who spoke up, where there is cause for believing that this has not been in accordance with good practice.

- The organisation to take appropriate action where they have failed to follow good practice.