

There when you need us

PREPARED BY:

Business Development Manager



Whistle Blowing Policy

WHISTLE-BLOWING POLICY

POLICY

INTRODUCTION

Whistle blowing is formally known as making a disclosure in the public interest. It involves sharing information which, in the reasonable belief of the worker, tends to show one or more of the following:

- That a criminal offence has been committed, is being committed, or is likely to be committed (e.g., financial impropriety)
- That a person has failed, is failing, or is likely to fail to comply with any legal obligation to which that person is subject
- That a miscarriage of justice has occurred, is occurring, or is likely to occur
- That the health or safety of any individual has been, is being, or is likely to be endangered
- That the environment has been, is being, or is likely to be damaged
- That information tending to show any matter falling within any one of the preceding paragraphs has been, is being, or is likely to be deliberately concealed

Stellar Care is committed to maintain high standards of honesty, openness and responsibility; therefore, Stellar Care treats unprofessional conduct very seriously.

The group recognises that staff and temporary workers are often the first people to witness wrong doing; and that a culture that enables whistle blowing can prevent damage to Stellar Care's reputation and performance and can potentially prevent serious harm to individuals.

Stellar Care recognises that the barriers to whistle blowing are commonly that staff and temporary workers fear reprisal, or fear that no action will be taken.

In view of this, Stellar Care makes its policy well known to staff and temporary workers, and its systems and processes are simple, and accessible, to support and encourage disclosure.

POLICY AIM

- To provide a means to make a disclosure so that it can be investigated sensitively, thoroughly and confidentially.
- To ensure that staff and temporary workers using the policy are protected from receiving or suffering any disadvantage because of making a disclosure in good faith.

DEFINITIONS

Whistle Blowing

A term used when someone who works for an organisation raises a concern about a possible fraud, crime, danger, or other serious risk that could threaten customers, colleagues, stakeholders, the public or the organisation's reputation.

In bringing information to an employer workers are protected under the Employment Rights Act 1996 as amended by the Public Interest Disclosure Act 1998. A worker has the right to take a case to an employment tribunal if they have been victimised at work, or have lost their job, because they have made a disclosure.

Prescribed Person

The role of a prescribed person is to provide workers with a mechanism to make their public interest disclosure to an independent body where the worker does not feel able to disclose directly to their employer, and the body might be able to take some form of further action on the disclosure. A worker will potentially qualify for the same employment rights as if they had made a disclosure to their employer if they report to a prescribed person.

www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies-whistleblowing-list-of-prescribed-people-and-bodies

All managers in the Group demonstrate through their leadership that they welcome, and encourage staff and temporary workers, to make disclosures. Staff and temporary workers will not suffer detrimental action as a result of their disclosure, and any harassment or victimisation by others will be considered a disciplinary offence.

Should a member of staff or temporary worker make a disclosure that is in bad faith, for example, with the intention to cause disruption, embarrassment, harm or damage to reputation, disciplinary action will be taken.

Any member of staff or temporary worker who has a concern about malpractice, misconduct, or that malpractice or misconduct has been concealed, should raise their concern without delay.

Concern should be raised with line managers, or sales consultants who will immediately agree a course of action. Should the concern involve the sales consultant or line manager, the concern can be raised with any senior manager in each Company within the Group. Senior managers are also available to provide support, signposting and advice to workers who are apprehensive about their safety in regard to disclosure.

Disclosure can be made verbally, or in writing; confidentiality will be maintained for the member of staff or temporary worker, unless the Group is required by law to disclose the worker's identity.

Staff and temporary workers will receive support and advice throughout the process; and where possible Stellar Care will provide information on the outcome of the investigation.

Investigation of a disclosure will be prioritised, and initial findings completed within 5 working days. Further investigation may be required, and we aim to complete within 28 days of the disclosure.

Anonymous disclosures are also welcomed, however, Stellar Care's ability to ask follow up questions, and to feed-back, will be compromised to an extent. Anonymous disclosure also compromises workers' qualification to protection under the law, because of the lack of documentary evidence.

This policy is not intended to replace the Group's Grievance Procedure, which remains the proper method of dealing with issues of a personal nature relating to matters of employment.

IMPLEMENTATION

This policy will be implemented through existing procedures for appraisal, team and one-to-one meetings; and will be available in the staff handbook, covered during induction and accessible on Company websites.

This policy will not affect the duty of confidentiality placed on staff and temporary workers under which confidential information about Stellar Care may not be disclosed without authorisation. This does not limit Staff or temporary workers' ability to make a disclosure in the public interest to a prescribed person.