

Whistleblowing Policy

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Approved by David Helyer

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Whistleblowing Policy (confidential reporting)

1. Aim of the policy

The aim of this Policy is to encourage Mentors and others who have serious concerns about suspected wrongdoing, malpractice, misconduct or illegal acts or any aspect of the work of Attentive Care Solutions Ltd, which might harm a child, young person or a vulnerable adult, to come forward and voice those concerns.

Mentors operating under the name of Attentive Care Solutions Ltd can raise their concerns about suspected wrong-doing, malpractice, misconduct or illegal acts within Attentive Care Solutions Ltd without fear of victimisation, subsequent discrimination, disadvantage or loss of work from Attentive Care Solutions Ltd.

Attentive Care Solutions Ltd views whistleblowing as a positive act that can make a valuable contribution to the company's efficiency and long-term success. It will not be disloyal to Mentors who speak up and report suspected wrongdoing, malpractice, misconduct or illegal acts.

This Policy aims to:

- encourage Mentors to feel confident in raising serious concerns at the earliest opportunity and to question and act upon concerns about practice
- provide avenues for Mentors to raise those concerns and receive feedback on any action taken
- ensure that Mentors receive a response to their concerns and that they are aware of how to pursue them if they are not satisfied
- reassure Mentors that they will be protected from possible reprisals or victimisation if they have made a disclosure in good faith.

2. Legal Framework

This policy has due regard to all relevant legislation and guidance including, but not limited to, the following:

- Public Interest Disclosure Act 1998
- Employment Rights Act 1996
- DfE (2023) 'Keeping children safe in education 2025'
- GOV.UK (2012) 'Whistleblowing for employees'
- Sir Robert Francis (2015) 'Freedom to speak up report'

This policy operates in conjunction with the following Attentive Care Solutions Ltd. policies:

- Health and Safety Policy
- Lone Worker Risk Assessment
- Child Protection and Safeguarding Policy
- Allegations Management policy
- Complaints procedures policy
- Home Visit Risk Assessment

3. Definitions

“Whistleblowing” is when an employee reports suspected wrongdoing, or ‘qualifying disclosures’, at work to their employer.

As outlined by the PIDA, “qualifying disclosures” pertain to when any of the following takes place:

- A criminal offence has been committed, is likely to be committed or is being committed
- A person has failed, is failing or is likely to fail to comply with any legal obligation to which they are subject
- A miscarriage of justice has occurred, is occurring or is likely to occur
- The health or safety of any individual has been, is being or is likely to be endangered
- The environment has been, is being or is likely to be damaged
- Information tending to show any matter falling within any of the preceding points has been, is being or is likely to be deliberately concealed

“In the public interest” means that an individual acted outside of their own personal interest – they acted for more than personal gain. It is not necessary for the disclosure to be of interest to the entire public. The following considerations are often used as a test to establish whether something is within the scope of public interest:

- The number of people in the group whose interests the disclosure served
- The nature of the interests and the extent by which individuals are affected by the wrongdoing disclosed
- The nature of the wrongdoing disclosed
- The identity of the alleged wrongdoer

“Blacklisting” refers to an individual who is being refused work because they are viewed as a whistleblower.

“Grievances” involve someone filing a complaint because they personally have been mistreated in some way – the person making the complaint will have a direct interest in the

outcome. It is important to understand the difference between raising a grievance and blowing the whistle.

4. The public Interest Disclosure Act

The Public Interest Disclosure Act 1998 (PIDA) protects Mentors who “blow the whistle” where the Mentor reasonably believes that the disclosure falls within the remit of the prescribed person or body, and that the information and any allegations are substantially true. Disclosures made under this procedure will be monitored for statistical purposes as required under the PIDA. The details of any disclosure will remain confidential.

Stephanie Lee, Director of Attentive Care Solutions Ltd. is the first point of contact for whistleblowing queries. If the allegation is related to Stephanie Lee, the concern will be raised with the appropriate LADO.

A parent or carer of a young person taught by Attentive Care Solutions Ltd. or a member of the general public is able to “blow the whistle”; however, the PIDA only protects employees. The ‘non-employees’ section of this policy includes further details on how whistleblowing affects non-employees.

5. Roles and responsibilities

Stephanie Lee, Director of Attentive Care Solutions Ltd. will be responsible for:

- Establishing and agreeing the whistleblowing procedure.
- Monitoring the effectiveness of this policy and undertaking any necessary reviews, e.g. in relation to good practice recommendations or changes in legislation.
- Ensuring all Mentors and other stakeholders (e.g. parents/carers, pupils) of Attentive Care Solutions Ltd. have access to this policy. • Investigating, in liaison with the head Mentor, any concerns that are raised.
- Ensuring this policy provides an open and transparent framework where stakeholders can raise their concerns.
- Taking the necessary action against members of staff following an investigation into any alleged malpractice.
- Ensuring that all concerns raised by whistleblowers are responded to properly and fairly.
- Ensuring that whistleblowing forms part of the Mentor behaviour policy as part of a wider approach to having in place appropriate safeguarding policies and procedures.
- Ensuring all Mentors have read and understood this policy.
- Receiving, investigating and responding to any concerns that have been raised by stakeholders.
- Being the first point of contact regarding whistleblowing.

Mentors will be responsible for:

- Raising any concerns that meet the definitions in the 'Definitions' section of this policy.
- Being truthful and reasonable with any concerns that they have.
- Not raising malicious or unfounded concerns.

6. What should be reported?

- Any serious concerns that a Mentor has about the service provision of Attentive Care Solutions Ltd.
- Any serious concerns about the conduct of any other Mentor operating under Attentive Care Solutions Ltd. or any other professional, such as a librarian, social worker, mentor, education welfare officer, youth worker or professional or non-professional adult working with children and young people or vulnerable adults.
- Any serious concerns that make a Mentor feel uncomfortable in terms of known standards
- The conduct of professionals that fall below established standards of practice
- Improper behaviour

These might relate to:

- conduct which is an offence or a breach of the law (a criminal offence has been committed or failing to comply with any other legal obligation).
- disclosures related to miscarriages of justice.
- racial, sexual, disability or other discrimination.
- health and safety of the public and/or another professional.
- damage to the environment.
- neglect or abuse of children and young people or vulnerable adults, or other unethical conduct.

This list is not exhaustive but serves to describe the types of behaviour which should be reported.

7. How to raise a concern

Parents/carers/members of the public/Mentors

Any individual who is worried about the safety or wellbeing of a child or young person who lives in Dorset can contact Dorset's Family Support and Advice Line.

When you call, you can talk about confidentiality and how they are going to use any information you give them.

Dorset's Family Support and Advice Line opening hours:

Monday to Friday: 8am to 10pm

Saturday, Sunday and bank holidays: 9am to 10pm

For out of hours emergencies call: 01305 221000

Family Support and Advice Line: Tel: 01305 228558

Mentors should refer to Attentive Care Solutions Ltd.'s Management Allegation policy which provides a step-by-step guide of the procedure for raising a concern presented as a flow diagram. They should raise concerns with Stephanie Lee, Director of Bespoke Learning. Alternatively, they may contact safeguarding services at BCP or Dorset Council, particularly if the concern relates to Stephanie Lee or David Helyer (Directors) .

When raising concerns, individuals will express them in writing to Stephanie Lee. If an individual is raising a concern about her, they should contact the relevant LADO. When individuals raise their concern, they will include the following information as far as possible:

- The background and history of the concern
- Any relevant names, dates and places
- The reasons for the concern

Contact details for LADOs:

BCP LADO for children on 01202 817600 or email LADO@bcpcouncil.gov.uk

BCP The secure email for the service is LADO@bcpcouncil.gov.uk
Adult Safeguarding Concerns BCP (vulnerable adults) - 01202 123654 or email asc.contactcentre@bcpcouncil.gov.uk

Dorset Safeguarding Children Partnership and follow the instructions online or contact the LADO directly 01305 221122 or LADO@dorsetcouncil.gov.uk

If a concern is raised with Stephanie Lee, then she will contact the relevant body within BCP or Dorset council.

8. Protecting the Whistle-blower from harassment and victimisation

This policy has been written to take account of the Public Interest Disclosure Act 1998 which protects workers making disclosures about certain matters of concern, when those disclosures are made in accordance with the Act's provisions and in the public interest.

The Act makes it unlawful for Attentive Care Solutions Ltd to withdraw mentoring from a Mentor or allow them to be victimised on the basis that they have made an appropriate lawful disclosure in accordance with the Act.

Attentive Care Solutions Ltd. recognises that the decision to report a concern can be a difficult one to take, not least because of the fear of reprisal from those responsible for the malpractice. . However, Stephanie Lee, Director of Attentive Care Solutions Ltd., will take appropriate action to protect Mentors who raise a concern in good faith, even if the complaint is about her.

Mentors are protected in law by the PIDA, which gives them protection from detriment and dismissal where they have made a protected disclosure, providing the legal requirements of the Act are satisfied, e.g. the disclosure was in the public interest.

Additional, independent advice and support for Mentors can be accessed at the NSPCC Whistleblowing Advice Line <https://www.nspcc.org.uk/what-you-can-do/report-abuse/dedicated-helplines/whistleblowing-advice-line/>

The NSPCC Whistleblowing Advice Line offers free advice and support to professionals with concerns about how child protection issues are being handled in their own or another organisation.

9. Confidentiality

All concerns will be treated in confidence, and every effort will be made not to reveal a whistle-blowers identity if that is their wish.