**Whistleblowing Policy**

**Purpose** This Whistleblowing Policy aims to encourage and enable employees, volunteers, and other individuals associated with Illuminate Care to raise concerns about malpractice, misconduct, or unethical behaviour within our organisation without fear of reprisal.

This policy applies across all areas of care and education, including supported accommodation, education, and residential childcare regulated by OFSTED.

**Scope** This policy applies to all employees, agency staff, volunteers, contractors, and others working within Illuminate Care’s settings, including supported accommodation, educational facilities, and residential childcare services. Illuminate Care is committed to ensuring transparency, accountability, and compliance with legal and ethical standards.

**Definitions**

* **Whistleblowing:** The disclosure of information which relates to suspected wrongdoing or dangers at work. This includes but is not limited to:
  + Criminal offences.
  + Failure to comply with legal obligations.
  + Miscarriages of justice.
  + Health and safety dangers.
  + Damage to the environment.
  + Covering up wrongdoing.

**This policy works in conjunction with the following regulations:**

1. [**Safeguarding Adults and Children Guidelines**](https://www.england.nhs.uk/long-read/safeguarding-children-young-people-and-adults-at-risk-in-the-nhs/)

Safeguarding regulations stress the importance of protecting vulnerable individuals from exploitation and abuse, including modern slavery.

1. [**Working Time Regulations 1998 (UK)**](https://www.legislation.gov.uk/uksi/1998/1833/contents)

Ensures fair working hours, addressing potential risks of forced labour through excessive or exploitative working practices.

1. [**Health and Safety at Work Act 1974 (UK)**](https://www.hse.gov.uk/enforce/hswact/scopeapplication.htm#:~:text=HSWA%20section%203%20places%20general,to%20their%20health%20or%20safety.)

Promotes a safe and fair working environment, reducing risks of exploitation.

**Residential Care for Children**

1. [**Children’s Homes (England) Regulations 2015**](https://www.legislation.gov.uk/uksi/2015/541/contents) (Including Quality Standards)
   * Covers the operation of children’s homes, focusing on care, safety, and well-being of residents.
   * Quality standards include:
     + The [**Care Planning Standard**:](https://www.legislation.gov.uk/uksi/2015/541/regulation/14) Ensuring individualised care plans.
     + The [**Protection Standard**:](https://www.legislation.gov.uk/uksi/2015/541/regulation/12) Protecting children from harm, including modern slavery.
     + The [**Leadership and Management Standard**:](https://www.legislation.gov.uk/uksi/2015/541/regulation/13) Effective oversight of the home.
   * Regulated by **Ofsted**, which inspects children's homes regularly.
2. [**Children Act 1989 and 2004**](https://www.legislation.gov.uk/ukpga/1989/41)
   * The foundation of child protection law in the UK, outlining duties to safeguard children and promote their welfare.
   * Emphasises the importance of avoiding harm and exploitation in care settings.
3. [**The Care Standards Act 2000**](https://www.legislation.gov.uk/ukpga/2000/14/contents)
   * Establishes the regulation and inspection of residential care settings.
   * Includes staffing, care quality, and premises safety requirements.
4. [**Working Together to Safeguard Children (2018)**](https://www.gov.uk/government/publications/working-together-to-safeguard-children--2)
   * Provides statutory guidance for all organisations working with children to ensure effective safeguarding practices.
   * Emphasises multi-agency collaboration to protect children.

**Supported Accommodation for 16-18-Year-Olds**

1. [**Care Planning, Placement, and Case Review Regulations 2010**](https://www.legislation.gov.uk/uksi/2010/959/contents)
   * Outlines the responsibilities of local authorities when placing young people in supported accommodation.
   * Ensures placements meet the needs of young people transitioning to independence.
2. [**Children (Leaving Care) Act 2000**](https://www.legislation.gov.uk/ukpga/2000/35/notes/division/2#:~:text=The%20Act%20simplifies%20the%20arrangements,based%20Job%2DSeekers%20Allowance.%20.)
   * Ensures proper support for care leavers, including accommodation that is safe and suitable for 16-18-year-olds.
3. [**Children and Families Act 2014**](https://www.legislation.gov.uk/ukpga/2014/6/contents)
   * Focuses on support for vulnerable young people, including those with special educational needs (SEN), ensuring their accommodations are appropriate.
4. [**Standards for Supported Accommodation**](https://www.legislation.gov.uk/uksi/2023/416/contents/made)
   * Introduced by the Department for Education, sets standards for accommodation, staffing, and safeguarding for 16-17-year-olds in supported settings.

**Independent Schools**

1. [**The Independent School Standards Regulations 2014**](https://www.legislation.gov.uk/uksi/2014/3283)
   * Sets out requirements for the quality of education, welfare, health, and safety of pupils, as well as premises standards and leadership.
2. [**Education Act 2002 (Section 157)**](https://www.legislation.gov.uk/ukpga/2002/32/section/157)
   * Requires independent schools to ensure the safety and well-being of students, covering safeguarding, bullying prevention, and anti-discrimination measures.
3. [**Keeping Children Safe in Education (KCSIE) 2024**](https://assets.publishing.service.gov.uk/media/66d7301b9084b18b95709f75/Keeping_children_safe_in_education_2024.pdf)
   * Statutory guidance for schools, ensuring that all staff understand their duties to safeguard and protect children from harm, including risks of modern slavery.
4. [**The Equality Act 2010**](https://www.legislation.gov.uk/ukpga/2010/15/section/4)
   * Ensures equal treatment of students, including reasonable adjustments for SEN or disabilities.
5. [**The Children and Families Act 2014**](https://www.legislation.gov.uk/ukpga/2014/6/contents)
   * Focuses on SEN provision, requiring schools to have tailored approaches for children with special needs.

**Principles**

* Illuminate Care is committed to a culture of openness and accountability.
* Concerns raised in good faith will be taken seriously and handled promptly and confidentially.
* No one will suffer detriment for raising genuine concerns, even if they turn out to be mistaken.
* Malicious allegations may result in disciplinary action.

**Raising a Concern** If you have a concern about wrongdoing within Illuminate Care, you should raise it at the earliest opportunity. Concerns should be raised with your immediate line manager, unless the issue relates to them, in which case you may escalate it to one of the following:

1. **Designated Safeguarding Lead (DSL):**
   * Each Illuminate Care service has a DSL responsible for handling whistleblowing concerns.
   * The DSL will investigate the matter impartially and maintain confidentiality wherever possible.
2. **Senior Leadership Team (SLT):**
   * If the matter remains unresolved or is of a serious nature, it can be escalated to a member of the SLT.
3. **External Reporting:**
   * If you feel unable to raise the matter internally or are dissatisfied with the outcome, you can report concerns to an external body, such as:
     + OFSTED: 0300 123 1231
     + NSPCC Whistleblowing Helpline: 0800 028 0285

**Process**

1. **Initial Report:**
   * Submit your concern verbally or in writing to your line manager or the DSL. Provide as much detail as possible, including dates, times, and the individuals involved.
2. **Investigation:**
   * The DSL will acknowledge receipt of the concern within five working days and carry out an impartial investigation.
   * The investigation process will depend on the nature of the concern but will aim to conclude within 20 working days.
3. **Outcome:**
   * The DSL will inform the whistleblower of the outcome, subject to legal and confidentiality constraints.
4. **Follow-Up:**
   * If dissatisfied, the whistleblower may escalate the matter internally or externally as outlined above.

**Protection for Whistleblowers** Illuminate Care is committed to protecting whistleblowers from retaliation, harassment, or victimisation.

Any attempt to penalise or intimidate a whistleblower will be treated as a disciplinary matter.

**Confidentiality** Concerns raised will be kept confidential as far as possible. However, there may be instances where disclosure is required to investigate the concern or comply with legal obligations.

**Training and Awareness** All employees and volunteers will receive training on this policy during their induction and at regular intervals to ensure understanding and compliance.

**Policy Review** This policy will be reviewed annually by the Senior Leadership Team to ensure its effectiveness and compliance with legal requirements.

**Approval** Approved by: SLT

**Date:** October 2024

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