

SAFEBREAKS DEVON CIC

Whistleblowing Policy

Policy title	Whistleblowing Policy
Policy owner	Managing Director
Version	1.0
Date	March 2026
Next review date	March 2027
Approved by	Managing Director

Legal Framework

- **Public Interest Disclosure Act 1998 (PIDA):** The primary legislation protecting workers who make qualifying disclosures in the public interest. Protection applies regardless of the outcome of the disclosure, provided it was made in good faith.
- **Employment Rights Act 1996, section 43A onwards:** The ERA incorporates PIDA protections. A worker who suffers detriment as a result of a protected disclosure may bring a claim to an Employment Tribunal. There is no qualifying period for such claims.
- **Equality Act 2010:** Where a whistleblowing concern relates to discrimination or equality matters, the protections of the Equality Act also apply.

1. Purpose

This policy enables all staff, volunteers, and contractors to raise genuine concerns about wrongdoing at Safebreaks in the public interest, without fear of victimisation, dismissal, or retaliation. Safebreaks is committed to a culture of openness and accountability where concerns are taken seriously and acted upon.

This policy covers disclosures that are in the public interest. It does not cover personal grievances such as individual pay disputes, personal conflicts with colleagues, or complaints about personal treatment, which are handled through the Grievance Policy.

2. Scope

- All employees, casual and bank workers
- Volunteers and contractors
- Agency and temporary staff
- Anyone working with or on behalf of Safebreaks

3. What is Whistleblowing?

Whistleblowing is the disclosure of information that a worker reasonably believes shows one or more of the following, and where the disclosure is made in the public interest:

- A criminal offence has been committed, is being committed, or is likely to be committed
 - A legal obligation has been or is likely to be breached
 - A miscarriage of justice has occurred, is occurring, or is likely to occur
 - The health or safety of any person has been, is being, or is likely to be endangered
 - The environment has been, is being, or is likely to be damaged
 - Information relating to any of the above has been or is likely to be deliberately concealed
 - Financial fraud, misuse of funds, or dishonesty within Safebreaks
 - Safeguarding concerns involving clients or staff
 - Data protection breaches involving personal data
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4. How to Raise a Concern

Internal channels

- **Line manager or team lead:** The first point of contact for most concerns. Raise verbally or in writing.
- **Designated Safeguarding Lead (DSL):** Where the concern involves a safeguarding matter or where the staff member is not comfortable approaching their line manager.
- **Managing Director:** Where the concern is about a line manager or the DSL, or where a previous internal disclosure has not been addressed.
- **Anonymous reporting:** Concerns may be raised anonymously. Anonymous disclosures are taken seriously but may limit the ability to investigate fully. Anonymous reporters cannot receive feedback on the outcome.

Where the concern is about the Managing Director

- Raise the concern with the Safebreaks Board directly, or contact an external body as set out in Section 5
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5. What Happens After a Concern is Raised

1. The concern is acknowledged in writing within 5 working days.
 2. An investigating officer is appointed who is independent of the subject of the concern.
 3. The investigation is completed as promptly as the matter allows. Complex matters may take longer; the person who raised the concern is kept informed of progress.
 4. The outcome is communicated to the person who raised the concern, to the extent possible without breaching confidentiality obligations to others.
 5. Where the concern is upheld, appropriate action is taken. This may include disciplinary action, referral to statutory authorities, or operational changes.
 6. Where the concern is not upheld, the reasons are explained. The person who raised the concern is not disadvantaged for having raised it in good faith.
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6. External Disclosure

Where you feel unable to raise the concern internally, or your internal concern has not been addressed, you may contact:

- **Devon MASH (safeguarding concerns):** 0345 155 1007
- **Information Commissioner's Office (data protection breaches):** 0303 123 1113 | ico.org.uk
- **Protect (formerly Public Concern at Work):** 020 3117 2520 | protect-advice.org.uk. Free, confidential whistleblowing advice for workers.
- **Acas:** 0300 123 1100
- **Health and Safety Executive (health and safety concerns):** hse.gov.uk/contact

Note: the Local Authority Designated Officer (LADO) handles allegations against persons working with children, not adults. LADO is not the correct route for whistleblowing concerns relating to adults. Use Devon MASH for adult safeguarding concerns.

7. Protection for Whistleblowers

Under PIDA, you are protected from:

- Dismissal or selection for redundancy because of a protected disclosure
- Disciplinary action, demotion, or denial of promotion
- Harassment, victimisation, or any other detriment

If you believe you have been subjected to any of the above as a result of raising a concern, report this to the Managing Director immediately or seek advice from Protect or Acas. You may also bring a claim to an Employment Tribunal.

Protection applies regardless of whether the concern is ultimately substantiated, provided it was raised in good faith.

8. False or Malicious Disclosures

This policy must not be used to make deliberately false or malicious allegations. Where an investigation concludes that a disclosure was made in bad faith or for malicious purposes, this is treated as a conduct matter and may result in disciplinary action.

9. Confidentiality

The identity of a person who raises a concern is kept confidential wherever possible. Where confidentiality cannot be maintained (for example, where the concern must be referred to statutory authorities and the person's identity is material to the referral), the person is informed before disclosure and the reason is explained.

10. Monitoring and Review

- All whistleblowing disclosures are logged by the Managing Director (anonymised where appropriate)

- This policy is reviewed annually or following any significant change in whistleblowing law or Safebreaks structure

Change Log

Version	Date	Author	Summary
0.1	2025	Managing Director	Initial draft
1.0	March 2026	Managing Director	Full revision: legal framework added; investigation process added; LADO error corrected; anonymous reporting procedure added; external channels expanded; protection provisions substantiated; house style applied