

# Speaking Up (Whistleblowing) policy – version 14

Date approved for use: 17<sup>th</sup> December 2024

## Scope

- 1.1 This policy is a Dimensions Group policy. This means it applies to all its subsidiaries as listed in **Dimensions Group company information**.
- 1.2 This policy applies to all people who work for Dimensions. This includes colleagues, agency colleagues and volunteers.
- 1.3 You can find the documents, forms and other policies mentioned in this policy on the Hub (Dimensions intranet).
- 1.4 This policy is not about how to complain about how you are being treated as a colleague; examples include concern about working hours, workload or being bullied by colleagues. How to complain about these things is explained in the **Grievance policy**.
- 1.5 To go straight to the policy content, click on the hyperlinked section title below:

### Section

<a href="#"><u>When to Speak Up</u></a>	<b>Page 3</b>
<a href="#"><u>How to Speak Up</u></a>	<b>Page 4</b>
<a href="#"><u>Management response and support for colleagues who Speak Up</u></a>	<b>Page 5</b>
<a href="#"><u>Legal protection for colleagues who Speak Up</u></a>	<b>Page 6</b>
<a href="#"><u>Investigating Speaking Up concerns</u></a>	<b>Page 7</b>
<a href="#"><u>Retraction of allegations</u></a>	<b>Page 8</b>
<a href="#"><u>Regulators to whom concerns can be reported</u></a>	<b>Page 8</b>

## Policy statement

- 2.1 The aim of this policy is to help to promote a culture of openness where colleagues are confident to report concerns at work. Dimensions know

that Speaking Up is vital to prevent wrongdoing and keeping people safe. Sadly, there are lots of examples in the UK where people have suffered harm and even died because colleagues' concerns were not investigated and acted upon.

We will encourage all colleagues to report concerns. We will make sure they are listened to, the matter investigated, and action taken where necessary.

Dimensions recognises that Speaking Up can take courage, especially when this means reporting on other colleagues who they suspect of wrongdoing. We will support colleagues who Speak Up and will not tolerate harassment or victimisation of a colleague who has raised a concern. We provide an independent Speaking Up reporting service for colleagues who would prefer not to raise a concern through the line management structure.

This policy incorporates the Dimensions Whistleblowing procedure.

Whistleblowing is a term often used where a person involved with the organisation raises a concern about the conduct of others in the organisation or the way in which the organisation is run. It is linked to the Public Interest Disclosures Act in 1998 (often called the "whistleblowing law") which provides protection for colleagues who report concerns about wrongdoing in the workplace. The term "whistleblowing" can carry negative connotations and make people less likely to come forward with concerns. For that reason, Dimensions prefers the term 'Speaking Up'.

## **The impact of not implementing this policy**

- 3.1 People we support, colleagues or members of the public may be harmed.
- 3.2 There may be losses or harm to Dimensions, including action taken by one or more of our regulators.
- 3.3 Our regulators are:
  - the person's local authority (LA)
  - in England, the Care Quality Commission (CQC)
  - in Wales, the Care Inspectorate Wales (CIW)
  - The Charity Commission (CC)
  - Health and Safety Executive (HSE)
  - the Regulator of Social Housing (RSH)
  - the Information Commissioners Office (ICO).

# Policy content

## When to Speak Up

4.1 If you think that any colleague or the organisation has done something wrong that puts people or the organisation at risk of harm, or is covering it up, we want you to Speak Up:

Examples include – but this list is not exhaustive:

- wilful harm of any person we support, physical, psychological, or financial
- theft, fraud, deliberate falsification of records
- fighting, assault on another person or threat of violence or offensive behaviour
- drinking alcohol while at work and taking of any illegal substance
- any act or omission which puts people supported by the company at risk of harm or abuse
- deliberate disregard of a safety rule or condition
- sleeping while at work unless expressly permitted
- you believe someone is covering up wrongdoing
- deliberately targeting or discriminating someone against the nine protected characteristics as listed in the [EDI statement](#).

4.2 There may be times when a colleague's care practice worries you. The same goes for these occasions: If you believe a colleague's practice could have bad consequences for any person we support, Speak Up,

4.3 You do not need proof that such an act has been or is likely to be committed. Reasonable belief is enough. You will not have to investigate the matter. That is our responsibility.

4.4 If your concerns are based on what other people have told you, rather than things you have seen for yourself, it is still really important that you Speak Up. It is unlikely that we can act solely based on second hand evidence, but the information can be the basis for valuable further investigation and action, If what you have been told leads you to believe that someone maybe at risk of harm you should say who gave you the information: You do not need to keep their details confidential. You should let them know that you have to disclose their details even if they ask you to keep their details confidential.

4.5 Your concern may prove unfounded, but we would rather you Speak Up than risk a problem continuing or getting worse.

## How to Speak Up

- 5.1 You might not find it easy to Speak Up, but you must do it. Do it as soon as possible.
- 5.2 It will be very helpful for the investigation if you can provide as much information as possible. For example, names, dates, places, **BUT** if you only have some of the information do not let that stop you raising the concern as soon as possible. Even partial information can be a good starting point for an investigation. The person who investigates your concern may come back to you asking for further information at a later stage.
- 5.3 In most cases, you should be able to Speak Up to your line manager. If the matter relates to your manager, speak to someone higher up the management chain. For operational colleagues this could be your Operations Director, Regional Managing Director, or Managing Director. For Business support colleagues this could be your Head of Department or Executive Director. Any of these people will be pleased to hear from you.

You can do it either by telephone or e-mail. If you phone and the issue is complicated, you might want to write it down first to help explain yourself clearly. It is fine also to speak to someone directly and to email or write them a letter.

- 5.4 If you cannot talk to line management or you are not happy with your manager's response, call our Safecall Whistleblowing hotline. Safecall is an independent company. It is open 24-hours-a-day, and it ensures confidentiality. Contact details:
  - Phone number: 0800 915 1571
  - Website: <https://www.safecall.co.uk/clients/dimensions/>
  - Email: [dimensions@safecall.co.uk](mailto:dimensions@safecall.co.uk)

Safecall will notify Dimensions' Group Director of Quality, Governance & Lived Experience within 24 hours.

- 5.5 Alternatively, you can email the chair of the Group Audit and Risk Committee: [shahana.khan@dimensions-uk.org](mailto:shahana.khan@dimensions-uk.org).
- 5.6 If you wish to meet with a senior manager, they will arrange a meeting as soon as possible. If you want a colleague or trade union representative to support you, that is fine.
- 5.7 You may also directly disclose alleged wrongdoing or malpractice to our regulators. That is, where the alleged wrongdoing falls within their remit.

## Management response and support for colleagues who Speak Up

- 6.1 All managers who receive or investigate concerns raised under this policy are expected to take a positive attitude towards the person Speaking Up. This includes thanking the colleague for raising the matter and recognising the courage it takes to raise concerns.

Reasonable adjustments will be offered to an employee with a disability, or where English is an additional language to ensure that the colleague understands the process and they should be given the option to be accompanied to any interview.

The colleague should be told how their concerns will be addressed and notified when any investigations are completed. Where investigations take several weeks or more to conclude, updates should be provided to the colleague who has raised concerns to give assurance that the matter is being actively followed up. Advice on how and when to communicate with the colleague can be sought from the Group Director of Quality, Governance & Lived Experience, or the Head of Quality.

- 6.2 Dimensions will not tolerate harassment or victimisation of a colleague who has raised a concern. If a colleague feels that they are being subjected to such treatment as a result of raising a concern, they should inform the manager dealing with their concern or escalate via the Speaking Up reporting lines.

Dimension will act in line with the **Disciplinary policy** against those who subject an individual to detriment or disadvantage because they raised a concern.

Examples of subjected detriment or disadvantage could include (but not limited to):

- closer monitoring
- ostracism (for example, cold-shouldering someone or not including them), bullying or harassment
- unrequested re-assignment or re-location
- unreasonably not granting requests for leave or flexible working
- failing to investigate a subsequent concern
- being subjected to humiliating or demeaning comments.

- 6.3 We will respect confidentiality as far as possible when you request it. However, depending on the nature of your concern, we may have to share information with others. For example, when a crime has been

committed or we are bound by regulations or contracts to share information.

- 6.4 While we will support colleagues who raise concerns in good faith, where colleagues knowingly and/or maliciously make false allegations against another colleague they:
- lose the right to confidentiality
  - may be subject to investigation and disciplinary action.

### **Legal Protection for colleagues who Speak Up**

- 7.1 The law protects employees who Speak Up about very serious wrongdoing at work. When you speak about the organisation you work for because you think it is in the public interest to do so, it is called a 'qualified disclosure' - that is, when you have reasonable belief that any of the following have been committed or a cover has been or is likely to be committed:
- a criminal offence
  - a miscarriage of justice
  - an act creating risk to health and safety
  - an act causing damage to the environment
  - a breach of any other legal obligation.
- 7.2 The law says that when you make a qualifying disclosure, you have the right not to be dismissed or be subjected to any disadvantage or blame.

### **Investigating Speaking Up concerns**

- 8.1 When they receive a Speaking Up allegation, a senior manager will appoint someone with a suitable background to investigate. In exceptional circumstances, we may appoint an independent person or member of the Board to investigate.
- 8.2 The investigating manager will investigate the matter comprehensively. This may involve:
- asking the person who raised the concern for further information or clarification
  - interviewing colleagues and other relevant people
  - checking documentation and records, and
  - visiting our premises.

They also have the right in serious cases to recommend suspension of the person they are investigating. For further information see the **Disciplinary policy**.

- 8.3 Where appropriate we will keep the Chair of the Board up to date with progress.
- 8.4 The investigating manager will share a closure report with the originating senior manager. The senior manager will refer it to the Group Executive Team (GET) with any recommendations for action. They might also share it with the Board.
- 8.5 We will deal with all Speaking Up alerts as quickly as possible.
- 8.6 The investigating manager can keep you informed about the action they have taken, but they cannot give you much detail if they have to keep the confidence of other people.
- 8.7 We will hold a database of concerns raised under this policy that have been escalated to senior management (Regional Managing Director or above) or that have been reported via Safecall. We will routinely submit a summary report to the Board based on the information in this database, including type of concerns raised, outcomes of investigations, key lessons learned and trends over time.
- 8.8 We will aim to resolve matters quickly and without the initial involvement of an outside agency. However, there may be times when we have to involve others. For example, when:
- the matter involves a very senior colleague
  - a criminal offence has been committed. We will report such incidents to the police
  - a person we support has been abused. We will report such cases to the local authority and appropriate regulatory authority - that is, the CQC in England, CIW in Wales and, in some cases, the Charity Commission
  - the matter is a notifiable incident under Health and Social Care Act regulations in England or Social Services and Well-being (Wales) Act in Wales. We will report such incidents to the CQC and CIW respectively
  - the matter relates to housing and/or property services we provide. We will report such incidents to the Regulator of Social Housing.
- 8.9 Wherever possible, when outside agencies carry out an investigation, we will carry out our investigation in conjunction with that agency.
- 8.10 Sometimes an investigation will uncover further information that we have to investigate separately. This might also result in a disciplinary hearing

or in our having to refer the case to another statutory body - for example, the CQC.

## Retraction of allegation

- 9.1 Once you have made a disclosure, you can retract it at any time. However, the organisation reserves the right to go ahead with the investigation.

## Regulators to whom concerns can be reported

- 10.1 **The Care Quality Commission** – the independent regulator of health and social care in England  
Tel.: 0300 061 6161  
Emails [enquiries@cqc.org.uk](mailto:enquiries@cqc.org.uk)

**The Care Inspectorate Wales** - who register, inspect, and take action to improve the quality and safety of services for the well-being of the people of Wales  
Tel.: 0300 790 0126  
Email: [CIW@gov.wales](mailto:CIW@gov.wales)

**The Regulator of Social Housing** – who promotes a viable, efficient and well-governed social housing sector  
Tel.: 0300 124 15225  
Email: [enquiries@rsh.gov.uk](mailto:enquiries@rsh.gov.uk)

**The Health and Safety Executive** – Britain’s national regulator for workplace health and safety  
Tel.: 0300 003 1647  
Further contact details at <https://www.hse.gov.uk/contact/>

**The Financial Conduct Authority** – who regulate financial services firms and financial markets in the UK  
Tel.: 0300 500 8082  
Website: <https://www.fca.org.uk/contact>

## Relevant legislation, guidance and related policies and templates

This policy and related procedures consider the following legal requirements and regulatory codes, standards, and guidance:

### Legislation

- 11.1 Public Interest Disclosure Act 1998 (PIDA)

- 11.2 Equality Act 2010
- 11.3 Data Protection Act 2018
- 11.4 General Data Protection Regulations (UK-GDPR)

## Guidance

- 12.1 [Speaking Up \(Whistleblowing\) page on the Hub \(intranet\)](#)

## Group policies

- 13.1 Concerns, complaints and compliments
- 13.2 Disciplinary
- 13.3 Grievance
- 13.4 Equality, diversity and inclusion
- 13.5 Safeguarding

## Related procedures, decision flowcharts, forms

- 14.1 Speaking Up (Whistleblowing) poster
- 14.2 Modern slavery and human trafficking statement
- 14.3 Employee Guide - for someone who has raised a concern

## Equality statement

- 15.1 Dimensions is committed to adhering to the Equality Act 2010 and the Public Sector Equality Duty. We aim to achieve this by promoting equality, respecting diversity and ensuring inclusion, eliminating unlawful discrimination for our colleagues and the people we support. Please see our **Equality, diversity and inclusion policy**.
- 15.2 We adhere to the Equality Act 2010 by promoting equality, diversity, and human rights by treating all people we support and employ fairly and equitably whatever their protected characteristic:
  - age
  - disability
  - gender reassignment
  - marriage and civil partnership
  - pregnancy and maternity
  - race
  - religion or belief
  - sex
  - sexual orientation

- 15.3 At Dimensions we will not tolerate any forms of abuse or discriminatory behaviour towards our colleagues, people we support, family members or people we work with. We will always act and will not be by-standers.
- 15.4 The equality impact analysis (EIA) is available on request by emailing the Head of Equality, Diversity and Inclusion.

## Data protection statement

- 16.1 This policy involves handling personal data. So when you carry out any procedures this policy describes, you should also think about what our **Data handling and protection policy** says.
- 16.2 Our **Data handling and protection policy** is our promise to handle personal data correctly under the Data Protection Act 2018 and the General Data Protection Regulation (UK-GDPR). It tells you how to keep that promise. It balances everyone's rights to data privacy with the work we do.
- 16.3 Information held about complaints will be held and processed in line with the principles of the Data Protection Act 2018 and UK-GDPR. Statistical reports will be produced to monitor trends, but individuals will not be identified in these reports.
- 16.4 For information on how we handle personal and sensitive data, please see our privacy notices.

## Review

- 17.1 We will review this policy three years from its original publication. But if changes in legislation, regulation or best practice mean we need to, we will review sooner.
- 17.2 If the changes are big, we will equality impact analyse (EIA) the policy again and send out to consultation in line with our **Policy development and consultation policy**.
- 17.3 For smaller changes, we will update this same version. We will record this in the Version control section below.

## Glossary

18.1 An explanation of words and terms that appear in this policy or the related procedures.

<b>Term</b>	<b>Definition</b>
<b>Disclosure</b>	The action of making new or secret information known.
<b>Protected disclosure</b>	Under the law, there are provisions whereby the person raising the disclosure are protected.

## People and groups involved in writing and approving this policy

<b>Policy owner:</b>	Julie Campbell, Head of Quality
<b>Policy Responsible Executive Lead:</b>	Rhoda Iranloye, Group Director Quality, Governance and Lived Experience
<b>Approval level:</b>	Dimensions Board via Group Audit and Risk Committee (GARC)
<b>People and groups consulted:</b>	Diversity Matters National Colleague Forum Policy Subgroup

## Version control

Version number	Approved date:	Communication date:	Summary of changes
14	14 <sup>th</sup> November 2024 (GARC) 28 <sup>th</sup> November 2024 (Board)	17 <sup>th</sup> December 2024	Reviewed and updated to latest Group policy standards. Change of policy owner. 4.1 examples of when to speak up added to. 6.1 amendments to when support will be offered. 6.2 examples of subjected detriment or disadvantage added to. Review moved to three-yearly.

**Next review due: December 2027**