CONTROLLED POLICY

B03 – WHISTLEBLOWING / SPEAKING UP POLICY

Policy Reference	B03	**Version**	1.0
Policy Owner	PHSSL Staffing Limited	**Approved By**	Lade Awosika, Director
Approval Method	Approved electronically	**Approval Date**	September 2026
Review Date	September 2027	**Status**	Controlled Document
Applies To	All PHSSL Staffing Limited staff, agency workers and relevant contractors	**Supersedes**	New policy

1. Purpose

PHSSL Staffing Limited is committed to a culture in which staff and agency workers can speak up about wrongdoing, unsafe practice or serious concerns without fear of retaliation. This policy explains how concerns can be raised, how PHSSL will respond and the protections that may apply to qualifying disclosures.

2. Scope

This policy applies to PHSSL directors, employees, recruitment and compliance staff, agency workers, temporary workers and relevant contractors. It applies to concerns arising within PHSSL and to relevant concerns encountered while a PHSSL worker is on assignment with a client.

3. What Whistleblowing Means

Whistleblowing is the raising of information about suspected wrongdoing in the public interest. It is different from a personal grievance about an individual's own employment or treatment, although a matter may contain both grievance and whistleblowing elements and should then be handled under the appropriate procedures.

4. Examples of Concerns

- Criminal offences, fraud, theft or deliberate dishonesty.
- Failure to comply with a legal obligation.
- Risk to health or safety.
- Abuse, neglect, exploitation or safeguarding failures.
- Unsafe staffing, unsafe care or serious professional misconduct.
- Discrimination or systemic unlawful practice.
- Serious data-protection or confidentiality breaches.
- Bribery, corruption, modern slavery or exploitation.
- Deliberate falsification of recruitment, compliance, payroll or timesheet records.
- Concealment or attempted concealment of wrongdoing.

5. Legal Protection

The Employment Rights Act 1996, as amended by the Public Interest Disclosure Act 1998, provides protection in defined circumstances to workers who make qualifying protected disclosures. Whether a disclosure is legally protected depends on the facts and statutory conditions. PHSSL will not tolerate dismissal, detriment, victimisation or retaliation because a person has raised a genuine concern in circumstances protected by law.

6. Speaking Up Early

Workers are encouraged to raise concerns as soon as reasonably possible. A person does not need to prove wrongdoing before speaking up, but should have a reasonable basis for the concern and provide information honestly.

7. How to Raise a Concern

Concerns should normally be raised with an appropriate PHSSL manager or director. Where the concern involves that person, the worker should raise it with another appropriate senior person. Concerns may be raised verbally or in writing. Written concerns should describe the issue, relevant dates, persons involved, available evidence and any immediate risk.

8. Concerns Arising at a Client Assignment

Where a concern arises within a client service, the worker should follow the client's safeguarding, incident, whistleblowing or speaking-up route where appropriate and notify PHSSL where the matter affects the worker's assignment, safety, professional obligations or PHSSL's responsibilities. Immediate safeguarding or safety risks must be escalated without delay.

9. Emergency and Immediate Risk

Whistleblowing procedures must not delay emergency action. Where a person is in immediate danger or a serious crime may be occurring, workers should contact emergency services or the appropriate safeguarding authority as necessary and then inform PHSSL as soon as practicable.

10. Confidentiality

PHSSL will seek to protect the identity of a person raising a concern as far as reasonably possible. Absolute confidentiality cannot be guaranteed where disclosure is necessary for a fair investigation, safeguarding action, legal proceedings or regulatory reporting. Information will be shared only with those who have a legitimate need to know.

11. Anonymous Concerns

Anonymous concerns will be considered, particularly where they raise serious safety, safeguarding, fraud or legal issues. However, anonymity may make investigation and feedback more difficult. A person who wishes to remain anonymous should provide as much specific and verifiable information as possible.

12. Receiving a Concern

- Listen respectfully and take the concern seriously.
- Identify any immediate safety or safeguarding risk.
- Make an accurate record.
- Do not promise absolute secrecy.
- Do not discourage the person from speaking up.
- Preserve relevant evidence.
- Escalate the matter to the appropriate decision-maker promptly.

13. Assessment and Investigation

PHSSL will assess the nature and seriousness of the concern and determine the appropriate response. This may involve internal fact-finding, safeguarding procedures, disciplinary processes, client cooperation, specialist advice or referral to an external authority. The person investigating should be sufficiently independent of the alleged wrongdoing wherever reasonably practicable.

14. Feedback

Where appropriate and lawful, PHSSL will acknowledge the concern and provide reasonable feedback about whether it has been considered and whether action has been taken. Confidential employment, safeguarding, legal or personal information about other people may limit the detail that can be provided.

15. Protection From Detriment

No manager, colleague, client representative or worker acting on PHSSL's behalf may threaten, penalise, intimidate or disadvantage a person because they have raised a genuine protected concern. Allegations of retaliation will be investigated and may result in disciplinary or contractual action.

16. Knowingly False or Malicious Allegations

A concern raised honestly will not attract disciplinary action merely because it is not substantiated. Deliberately fabricating allegations, knowingly providing false evidence or making malicious accusations may, however, be addressed under disciplinary or contractual procedures.

17. Safeguarding Concerns

Safeguarding concerns involving a child or adult at risk must be managed under the relevant safeguarding policy as well as this policy where appropriate. The need to speak up must never be used as a reason to delay an urgent safeguarding referral.

18. Professional Duties

Registered professionals and other workers may have professional duties to raise concerns about safety or misconduct. PHSSL expects workers to comply with applicable professional codes and client procedures and will not instruct a worker to conceal a matter that should lawfully or professionally be reported.

19. External Disclosures

In some circumstances, a worker may make a protected disclosure to a prescribed person or other appropriate external body. The legal conditions vary depending on the recipient and circumstances. Workers may seek independent advice before making an external disclosure. PHSSL will not obstruct a lawful report to a regulator, safeguarding body, police or other competent authority.

20. Media and Social Media

Whistleblowing protection does not mean that confidential information should automatically be published to the media or social media. Wider disclosures are subject to stricter legal conditions and may create confidentiality, privacy or safeguarding risks. Workers should use appropriate reporting routes and obtain independent advice where necessary.

21. Record Keeping

PHSSL will keep secure records of whistleblowing concerns, assessments, investigations, actions, outcomes and relevant communications. Access will be restricted and records retained in accordance with data-protection and records-management requirements.

22. Client Pressure or Retaliation

If a PHSSL worker believes a client has removed them from an assignment, reduced opportunities, threatened them or otherwise retaliated because they raised a genuine safety or safeguarding concern, the worker should report this immediately to PHSSL. PHSSL will review the circumstances and consider contractual, legal and worker-protection implications.

23. Management Responsibilities

- Promote an environment in which people can raise concerns safely.
- Take concerns seriously and assess immediate risk.
- Protect confidentiality as far as reasonably possible.
- Ensure appropriate and impartial investigation.
- Prevent and respond to retaliation.
- Escalate safeguarding, criminal, regulatory or legal matters appropriately.
- Record outcomes and monitor learning.

24. Worker Responsibilities

- Raise genuine concerns promptly.
- Provide information honestly and cooperate with enquiries.
- Preserve relevant evidence.
- Maintain appropriate confidentiality.
- Follow safeguarding and emergency procedures where required.
- Do not victimise anyone who raises a concern.
- Do not knowingly make false or malicious allegations.

25. Learning and Governance

PHSSL will review whistleblowing themes and outcomes to identify weaknesses in recruitment, compliance, staffing, supervision, client relationships, training or governance. Learning will be implemented without unnecessarily identifying the person who raised the concern.

26. Related PHSSL Staffing Policies

- A01 Governance and Quality Assurance Policy.
- A03 Records Management, Confidentiality and Data Protection Policy.
- A04 Complaints, Concerns and Service Feedback Policy.
- A05 Duty of Candour and Open Communication Policy.
- B01 Safeguarding Adults Policy.
- B02 Safeguarding Children and Young People Policy.
- C01 Recruitment, Selection and Safer Employment Policy.
- C02 DBS, Right to Work, References and Pre-Employment Checks Policy.
- C06 Lone Working and Worker Safety Policy.

27. Monitoring and Review

This policy will be monitored through governance, safeguarding, complaints, incident and worker-feedback processes. It will be reviewed at least annually, or sooner following significant legal or regulatory change, a serious speaking-up concern, audit findings or identified learning.

Approved by	Lade Awosika
Position	Director
Approval method	Approved electronically
Approval date / next review	September 2026 / September 2027