

Whistleblowing Policy

Date:	April 2025
Review date:	April 2026
Approved by:	Simon Buxton - Director

Contents

Policy Statement.....2

Background.....2

 Definitions.....2

Procedure.....2

Consequences.....3

Data Protection.....3

Enforcement.....3

Whistle Blowing Policy

Policy Lead:	Simon Buxton - Director
Version No:	1.0
Date of issue:	April 2025
Date to be reviewed:	April 2026

Policy Statement

Banquo Ltd encourages a free and open culture in dealings between its Clients, Employees and Service Users and in particular, Banquo Ltd recognises that effective and honest communication is essential if concerns about breaches or failures are to be effectively dealt with and the company's success ensured.

This policy is designed to provide guidance to all those who work for Banquo, who may from time to time feel that they need to raise certain issues with someone in confidence.

Individuals who in the public interest raise genuine concerns under this policy will not under any circumstances be subjected to any form of detriment or disadvantage as a result of having raised their concerns.

Background

The Public Interest Disclosure Act 1998 recognised that workers have the right to "blow the whistle" and disclose certain information, e.g. fraudulent activities, malpractice and/or concerns about health and safety.

The Act introduced specific rights for those who disclose information to a third party about an alleged wrong doing in **defined** circumstances. There is no general right for all so-called whistle-blowers to receive special protection. To qualify, the following issues must be met:

- The Disclosure in question must relate to one of the specified categories contained within the Act; and
- The Disclosure must be made in one of the ways specified.

Definitions

Adult at Risk – any person aged 18 years and over, who is or may be in need of community care services by reason of mental health issues, learning or physical disability, sensory impairment, age or illness and who is or may be unable to take care of him/herself or unable to protect him/herself against significant harm or serious exploitation.

Child/Children - any person under the age of 18.

Employee – an individual receiving work, delivered by Banquo Ltd. This includes, amongst others: Care Assistants, Support Workers and Registered Managers.

Service User – is defined to mean Child, Children or Adult at Risk.

Procedure

This policy will apply in cases where individuals genuinely believe that one of the following sets of circumstances is occurring, has occurred or may occur within Banquo Ltd and that it is in the public interest for the individual to disclose it. The matters that may be disclosed in this way are that:

- A criminal offence has been committed, is being committed or is likely to be committed; or
- A person has failed, is failing or is likely to fail to comply with any legal obligation to which s/he is subject; or
- A miscarriage of justice has occurred, is occurring or is likely to occur; or
- The health or safety of an individual has been, or is being or is likely to be endangered; or

- The environment has been, is being or is likely to be damaged, or
- Information tending to show any massive failing within any one of the proceeding paragraphs has been, is being or is likely to be deliberately concealed.

Banquo Ltd aim to encourage anyone with a genuine concern to raise it by providing the facility to make the complaint to someone who has no direct involvement with the issue. The issue should be reported to the Registered Manager or another responsible person in a senior position. If there is not a sufficiently senior person to deal with the complaint within the organisation, external routes should be considered, as set out by the Act. The matter will be dealt with objectively and in a confidential manner. If you have a concern, do not wait until you have proof or investigate the matter yourself; a reasonable suspicion will suffice, i.e. where you reasonably believe that the information disclosed is substantially true.

However, there are two important exceptions where the Disclosure will not qualify for protection, and they are:

- If the person making the Disclosure commits an offence by making it, or
- It is a matter in which a legal, professional privilege would apply, namely, correspondence between the employer and their lawyers regarding a specific case.

Consequences

Banquo Ltd will not take action against anyone who raises a complaint under these policies in good faith because they did so, however, individuals who make false allegations maliciously may be subject to the appropriate disciplinary action or termination of their employment. This Whistleblowing Policy does not cover private grievances, including complaints about individual employment matters. A 'whistleblower' is a witness, not a complainant.

Failure to adhere to this policy may result in termination of the of the Employee's employment and referral to the Disclosure and Barring Service / relevant professional body, if applicable.

Data Protection

Banquo Ltd will treat all employees' data confidentially and in accordance with the requirements of the Data Protection Act 2018 and the General Data Protection Regulations 2018.

Enforcement

This policy will be enforced by Banquo's Registered Manager and Nominated Individual.

Failure to adhere to this policy may result in suspension / termination of the Employee's employment and referral to the Disclosure and Barring Service / relevant professional body, if applicable.