

# WHISTLEBLOWING POLICY





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## Thrive Lincs Ltd

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| <b>Organisation</b>           | Thrive Lincs Ltd                                                                     |
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| <b>Policy owner</b>           | Mark Haggis, Director                                                                |
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| <b>Approved by</b>            | Director                                                                             |

## 1. Policy Statement

Thrive Lincs Ltd is committed to a culture in which people can speak up about suspected wrongdoing, risks to children or others, unsafe practice, unlawful conduct or attempts to conceal wrongdoing. Concerns raised under this policy will be taken seriously, considered fairly and handled as promptly and sensitively as circumstances allow.

No worker should suffer dismissal, harassment, loss of work, disadvantage or other detriment because they have made a protected disclosure. A person does not need to prove wrongdoing before raising a concern. A concern that later proves to be mistaken is not, by itself, evidence of misconduct or malice.

This policy is intended to support internal speaking up and explain external routes where appropriate. It does not remove any legal right to make a protected disclosure to an appropriate person or body.

## 2. Purpose

- encourage early reporting of genuine concerns about wrongdoing or risk;
- provide clear and accessible routes for raising concerns, including where senior leaders are involved;
- protect people who speak up from victimisation or detrimental treatment;
- ensure concerns are assessed objectively and referred to the correct safeguarding, regulatory, disciplinary or other process where necessary;
- promote learning, accountability and improvement; and
- explain the distinction between whistleblowing, personal grievances, complaints and safeguarding reports.

## 3. Scope

This policy applies to employees and other workers engaged by Thrive Lincs, including agency workers and eligible trainees. Volunteers, students, contractors and other people connected with Thrive Lincs are also encouraged to use the speaking-up routes in this policy, although statutory whistleblowing protection depends on whether the individual falls within the legal definition of a protected worker and the circumstances of the disclosure.

Former workers may also have legal protection in appropriate circumstances. Anyone unsure about their legal position should obtain independent advice.



## 4. Legal Framework

Whistleblowing protection is principally contained in Part IVA of the Employment Rights Act 1996, as amended by the Public Interest Disclosure Act 1998 and subsequent legislation. Government guidance describes a protected disclosure as a disclosure by a worker who reasonably believes that specified wrongdoing has occurred, is occurring or is likely to occur, reasonably believes the disclosure is in the public interest, and makes it through an appropriate route.

From 6 April 2026, sexual harassment is expressly included as a category of wrongdoing capable of forming the basis of a qualifying whistleblowing disclosure, subject to the statutory conditions being met.

Nothing in a confidentiality clause or non-disclosure agreement can lawfully prevent a worker from making a protected whistleblowing disclosure where the statutory requirements are met.

## 5. What May Amount to Whistleblowing

A worker may have whistleblowing protection where they reasonably believe that information tends to show one or more of the following has occurred, is occurring or is likely to occur:

- a criminal offence, including fraud, bribery, theft or corruption;
- a breach of a legal obligation;
- a miscarriage of justice;
- danger to the health or safety of any person;
- damage to the environment;
- sexual harassment; or
- deliberate concealment of information tending to show any of the above.

Examples relevant to Thrive Lincs might include serious safeguarding failures, falsification of records, misuse of public or company funds, serious health and safety risks, unlawful discrimination or harassment where the statutory test is met, deliberate failure to comply with legal duties, or concealment of such matters.

## 6. The Public Interest Requirement

For statutory whistleblowing protection, the worker must reasonably believe that making the disclosure is in the public interest. This will generally mean that the concern affects, or could affect, people beyond the individual raising it, although whether the legal test is met depends on the facts of each case.

## 7. Whistleblowing, Grievances, Complaints and Safeguarding

A personal employment complaint that relates only to the individual, such as disagreement about pay, hours, management decisions or interpersonal treatment, will normally be dealt with under the Grievance Procedure unless the matter also meets the public-interest whistleblowing test.

A complaint from a learner, parent/carer or commissioner will normally be considered under the Compliments and Complaints Policy. A safeguarding concern must be acted upon immediately under safeguarding procedures and must not be delayed while deciding whether it is also whistleblowing.

Where a concern falls across more than one procedure, Thrive Lincs will decide the safest and most appropriate route and may run processes alongside one another where necessary.

## 8. Safeguarding Whistleblowing

Anyone who believes that safeguarding concerns are being ignored, inadequately managed, deliberately concealed or handled in a way that places a child at risk must speak up without delay.



The Designated Safeguarding Lead is Mark Haggis. The Deputy Designated Safeguarding Leads are Anita Carnell and Kerry Cooper. Safeguarding concerns can be reported through [safeguarding@thrivelincs.co.uk](mailto:safeguarding@thrivelincs.co.uk). Where the concern involves Mark Haggis, it should be raised with a Deputy DSL and, where appropriate, an independent senior or external safeguarding professional or relevant statutory authority.

If a child or any person is in immediate danger, contact the emergency services. Staff must not wait for an internal whistleblowing process before taking necessary emergency or safeguarding action.

## 9. How to Raise a Concern Internally

Concerns should normally be raised as soon as reasonably practicable with the person best placed to deal with them. This may be a line manager, senior leader or the Director. The individual does not have to follow the management hierarchy where doing so would be inappropriate, uncomfortable or create a conflict of interest.

A concern may be raised verbally or in writing. A written report is helpful but is not required. The person raising the concern should provide, so far as they reasonably can, what happened or may happen, who may be involved, relevant dates or locations, why they are concerned, and any information or records already available. They are not expected to investigate the matter or obtain proof themselves.

Where the concern relates to the Director, the person should use an alternative appropriate route, which may include a Deputy DSL for safeguarding matters, an appropriate commissioner where the concern relates to commissioned provision, a relevant prescribed person or regulator, or independent legal/advisory support.

## 10. Anonymous and Confidential Reporting

Thrive Lincs encourages individuals to identify themselves where they feel able to do so because this can assist investigation and enable feedback. A person may nevertheless raise a concern anonymously.

A person may also give their name but request that their identity is kept confidential. Thrive Lincs will take reasonable steps to protect confidentiality and will share identifying information only where there is a legitimate need to know or disclosure is required to investigate, safeguard a person, comply with law or enable another authority to act. Absolute confidentiality cannot therefore be guaranteed.

Anonymous concerns will be considered on their merits, although anonymity can make investigation and feedback more difficult.

## 11. Protection from Detriment and Victimisation

Thrive Lincs will not tolerate retaliation, bullying, harassment, threats, reduction of work, exclusion, unfair treatment or other detrimental treatment because a person has raised a protected concern or participated in an investigation.

Any person who believes they have experienced retaliation should report it promptly. Retaliation may itself result in disciplinary or other appropriate action.

## 12. Concerns That Are Mistaken or Malicious

A concern raised with a reasonable belief may turn out to be unfounded. No disciplinary or other adverse action will be taken merely because the concern was mistaken or could not be substantiated.

Knowingly fabricating allegations, deliberately providing false information or abusing the process for an improper purpose may be addressed under disciplinary or other relevant procedures. The fact that an allegation is not upheld does not establish that it was malicious.



### 13. How Thrive Lincs Will Handle a Concern

The person receiving a whistleblowing concern must listen without dismissing or prejudging it, make an appropriate record, protect confidentiality as far as reasonably possible and promptly consider any immediate safeguarding, safety, evidence-preservation or regulatory action required.

Thrive Lincs will normally:

- acknowledge the concern and identify an appropriate case lead;
- consider conflicts of interest and appoint an alternative or independent person where necessary;
- assess whether immediate safeguarding, health and safety, police, regulatory, commissioner or other notification is required;
- decide whether the matter requires investigation or another formal process;
- seek further information from the person raising the concern where appropriate;
- keep a proportionate written record of decisions and rationale;
- take appropriate remedial, disciplinary, safeguarding or management action where findings require it; and
- provide appropriate feedback to the whistleblower, subject to confidentiality and the rights of others.

No fixed outcome can be promised. The person raising the concern will not control the investigation or necessarily receive confidential details about another person.

### 14. Fairness to People Named in a Concern

A whistleblowing concern is not a finding of wrongdoing. Anyone whose conduct is questioned will be treated fairly and, where appropriate, given an opportunity to respond. Information will be shared only as necessary. Safeguarding or evidence-preservation requirements may affect when and how a person is informed.

### 15. Accompaniment and Support

Where appropriate, a worker raising a concern may ask to be accompanied at a meeting by a work colleague or trade union representative. Thrive Lincs may also agree another suitable support person where this would assist the process and not compromise confidentiality or the investigation.

Workers may obtain independent advice from Acas, their trade union, a legal adviser or the whistleblowing charity Protect.

### 16. External Disclosures and Prescribed Persons

Workers do not always have to report internally first. The law provides routes for disclosures to specified external bodies known as prescribed persons. A worker considering this route should ensure that the body is prescribed for the subject matter of the concern and that the relevant statutory conditions are met.

Depending on the issue, prescribed bodies may include regulators or authorities responsible for matters such as education, children's interests, health and safety, data protection, fraud, tax, equality or other regulated areas. The current government list should be checked because prescribed bodies and their remits can change.

A worker may also make a disclosure to a legal adviser in the course of obtaining legal advice. Disclosures to the media, social media or other third parties have substantially more restrictive legal conditions and should not be treated as equivalent to disclosure to an employer or prescribed person. Independent advice should be sought where appropriate.



## 17. Safeguarding and Other External Routes

Nothing in this policy prevents a person from contacting children's social care, the police, the Local Authority Designated Officer where applicable, the Health and Safety Executive, Information Commissioner's Office or another appropriate statutory body where the concern falls within that body's remit. The correct external route depends on the nature of the concern and Thrive Lincs' legal status and commissioning arrangements.

The previous policy referred generally to a "Lincolnshire Council ombudsman". This is not retained as a universal escalation route because whistleblowing should be directed to the body with the relevant legal or regulatory remit.

## 18. Records and Data Protection

Whistleblowing records will be factual, secure, access-controlled and retained in accordance with Thrive Lincs' retention arrangements, data protection obligations and the nature of the case. A blanket six-year retention period is not appropriate for every whistleblowing record; safeguarding, employment, legal, insurance or regulatory requirements may justify different periods.

Records will be kept separately or with restricted access where appropriate. Information will not automatically be placed on an individual's personnel file merely because they raised a concern or were named in one.

## 19. Responsibilities of Managers and Leaders

Anyone receiving a concern must take it seriously, avoid retaliation or prejudgment, recognise when safeguarding or urgent action is required, maintain appropriate confidentiality, document decisions and seek advice where the matter is outside their competence.

Managers must not require a whistleblower to investigate the matter themselves, confront the person complained about, obtain evidence unlawfully or remain silent about a safeguarding risk.

## 20. Training and Awareness

Thrive Lincs will make this policy available to workers and ensure that managers and safeguarding leads understand how to recognise, receive, escalate and document whistleblowing concerns. Induction and refresher arrangements will reinforce that speaking up about wrongdoing is supported and retaliation is unacceptable.

## 21. Monitoring and Learning

The Director will periodically review whistleblowing concerns at an appropriately anonymised level to identify themes, repeated risks, delays, weaknesses in controls and opportunities for organisational learning. Monitoring will not be used to discourage reporting or set targets for the number of concerns raised.

## 22. Further Advice

- GOV.UK whistleblowing guidance – information on protected disclosures and external routes.
- Acas – independent workplace advice.
- Protect – independent whistleblowing charity providing confidential advice.
- A trade union or independent legal adviser, where applicable.

Protect is the current name of the charity formerly known as Public Concern at Work (PCAW). Current contact details should be obtained from its official website rather than relying on historic details in older versions of this policy.



## 23. Related Policies

- Safeguarding and Child Protection Policy
- Allegations Against Staff / Managing Allegations Policy
- Low-Level Concerns procedure
- Staff Code of Conduct
- Grievance Procedure
- Compliments and Complaints Policy
- Safer Working Practices Policy
- Safer Recruitment Policy
- Health and Safety Policy
- Data Protection Policy
- Equality, Diversity and Inclusion Policy
- Anti-Bribery Policy

## 24. Review

This policy will be reviewed at least annually and sooner following significant legislative or regulatory change, a serious whistleblowing case, safeguarding learning, changes to organisational structure or evidence that the reporting arrangements are not operating effectively.

## Appendix 1 – Quick Guide for Raising a Concern

- If someone is in immediate danger, contact emergency services and follow safeguarding procedures.
- Raise the concern promptly with a manager, senior leader or Director, unless that route is inappropriate.
- For safeguarding concerns, contact the DSL or Deputy DSLs using [safeguarding@thrivelincs.co.uk](mailto:safeguarding@thrivelincs.co.uk).
- Explain what you believe has happened or may happen and why it concerns you. You do not need to prove the case.
- State if you want your identity kept confidential. Anonymous concerns can also be considered.
- Do not investigate the matter yourself, access records without authority or confront the person involved.
- If internal reporting is inappropriate or the concern remains unresolved, consider the relevant prescribed person or other appropriate authority and obtain independent advice if needed.
- Report any retaliation or detrimental treatment immediately.

## Appendix 2 – Manager Receiving a Whistleblowing Concern

- Listen and thank the person for speaking up.
- Do not promise absolute confidentiality or a particular outcome.
- Establish whether anyone is at immediate risk and take urgent safeguarding or safety action.
- Record the concern accurately, distinguishing facts from opinion.
- Ask whether confidentiality is requested and explain its limits.
- Do not investigate beyond your authority or alert a person whose knowledge could create risk or compromise evidence.
- Consider conflicts of interest and escalate to an alternative decision-maker where necessary.
- Agree how the person will be contacted and supported.
- Protect the person from retaliation and document subsequent decisions and actions.