



# **WHISTLEBLOWING POLICY**

Date: May 2026

# WHISTLEBLOWING POLICY AND PROCEDURE

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## 1. Introduction to the Policy

This Whistleblowing Policy sets out the framework, principles, and procedures that **Byram House** follows to encourage and enable all staff, volunteers, agency workers, contractors, and anyone associated with the home to raise genuine concerns about malpractice, wrongdoing, or dangers in a safe and confidential manner. The policy applies to anyone working at Byram House, whether at 62 Deighton Road, 66 Deighton Road, or elsewhere.

**The Home is Byram House, which comprises the two residences at 62 Deighton Road and 66 Deighton Road.** This policy applies equally across both residences.

Byram House is committed to conducting its business with honesty, integrity, and transparency. We expect all colleagues to maintain high standards and to speak up if they witness anything that falls short of those standards. We encourage open communication and aim to ensure all feel confident in raising concerns without fear of reprisal.

This policy does not form part of any contract of employment and may be amended at any time to reflect changes in legislation or best practice.

## 2. How this Policy Benefits the Home

This Whistleblowing Policy benefits Byram House in the following ways:

- **Legal Compliance** – It ensures compliance with the **Public Interest Disclosure Act 1998 (PIDA)**, the **Employment Rights Act 1996** (as amended by the **Employment Rights Act 2025**), and the **Children’s Homes (England) Regulations 2015**. It also reflects recent updates including the **Public Interest Disclosure (Prescribed Persons) (Amendment) Order 2025** (effective 26 June 2025) and the extension of whistleblowing protections to sexual harassment disclosures (effective 6 April 2026).
- **Child Safety** – It encourages staff to speak up about safeguarding concerns, unsafe practices, or risks to children, ensuring that issues are identified and addressed before they escalate.
- **Clarity for Staff** – It provides clear definitions, a distinction between whistleblowing and grievances, a step-by-step procedure for raising concerns, and a guarantee of protection from detriment or victimisation.
- **External Reporting Pathways** – It identifies prescribed persons (including Ofsted and the Department for Education) to whom staff may report concerns directly in exceptional circumstances, in line with 2025 updates to the prescribed persons regime.
- **Confidentiality and Anonymity** – It offers options for confidential reporting and anonymous reporting via SafeCall, our external whistleblowing partner.
- **Inspection Readiness** – The **Social Care Common Inspection Framework (SCCIF) 2026** expects homes to demonstrate a culture where staff feel safe to raise concerns. This policy evidences that commitment.
- **Training Framework** – It sets out regular training for all staff on whistleblowing, including the newly protected category of sexual harassment disclosures from April 2026.

### 3. Definitions & Legislation

#### 3.1 Definitions

Term	Definition
<b>Home</b>	Byram House, the children’s home registered with Ofsted, comprising two residences at 62 Deighton Road and 66 Deighton Road.
<b>Company</b>	IMS Care LTD, the registered provider and legal entity responsible for operating Byram House.
<b>Byram House</b>	The name used throughout this policy to refer to the home and its staff.
<b>Whistleblowing</b>	The reporting of suspected malpractice, wrongdoing, illegality, dangers, or risks in relation to the home’s activities, made in the public interest.
<b>Protected Disclosure</b>	A qualifying disclosure made in accordance with whistleblowing legislation, which provides the whistleblower with legal protection.
<b>Qualifying Disclosure</b>	A disclosure made in the public interest where the worker reasonably believes that any of the following has occurred, is occurring, or is likely to occur: a criminal offence; failure to comply with a legal obligation; a miscarriage of justice; danger to health and safety; damage to the environment; or deliberate concealment of any of the above.
<b>Prescribed Person</b>	A person or body (e.g., Ofsted, DfE, HMRC) prescribed by law to receive whistleblowing disclosures in certain circumstances.
<b>Harassment</b>	Unwanted conduct relating to a protected characteristic which creates an intimidating, hostile, or offensive environment.
<b>Victimisation</b>	Treating a person less favourably because they have made a protected disclosure.

<b>Public Interest</b>	A requirement that the disclosure must be made in the interest of the public (or a section of the public), not solely for the whistleblower’s personal gain.
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### 3.2 Key Legislation and Statutory Guidance

Legislation / Guidance	Key Provisions	Relevance to this Policy
<b>Public Interest Disclosure Act 1998 (PIDA)</b>	The primary legislation protecting whistleblowers who make qualifying disclosures. Amends the Employment Rights Act 1996.	Forms the legal foundation for this policy. All staff have the right to be protected from dismissal or detriment for making a protected disclosure.
<b>Employment Rights Act 1996 (as amended)</b>	Sections 43A to 43L set out the framework for protected disclosures, including the definition of qualifying disclosures, permissible recipients, and protection from detriment.	Underpins the definitions and protections in this policy.
<b>Employment Rights Act 2025</b>	Effective from 6 April 2026, amends the 1996 Act to explicitly include <b>sexual harassment</b> as a category of protected disclosure. Also introduces a duty for employers to take reasonable steps to investigate disclosures.	Staff who report sexual harassment will now receive whistleblowing protections. Byram House must ensure its procedures and training are updated to reflect this change.
<b>Public Interest Disclosure (Prescribed Persons) (Amendment) Order 2025</b>	Effective 26 June 2025, amends the list of prescribed persons. Adds HM Treasury for sanctions-related disclosures. Also includes Ofsted for children’s social care matters.	Staff may report concerns about sanctions breaches to HM Treasury. Ofsted remains a prescribed person for concerns about children’s social care services.

<b>Children's Homes (England) Regulations 2015</b>	Regulation 34 – requires homes to have policies for the protection of children. Regulation 40 – serious event notifications.	Requires Byram House to have a whistleblowing policy as part of its safeguarding framework.	{8+L4-L8}
<b>Working Together to Safeguard Children 2026</b>	Published March 2026. Strengthens multi-agency accountability and anti-discriminatory practice.	Where a whistleblowing disclosure raises safeguarding concerns, it must be handled under the Safeguarding Policy, but the whistleblower must be protected.	
<b>Social Care Common Inspection Framework (SCCIF) for Children's Homes 2026</b>	Effective 1 April 2026. Focuses on children's lived experience and whether staff feel safe to raise concerns.	Ofsted inspectors will evaluate the home's whistleblowing culture as part of assessing leadership and management.	
<b>Data Protection Act 2018 &amp; UK GDPR</b>	Governs the processing of personal data, including information provided in whistleblowing disclosures.	Byram House will handle all disclosures confidentially in compliance with data protection principles.	
<b>Equality Act 2010</b>	Protects individuals from discrimination, harassment, and victimisation on the basis of protected characteristics.	Whistleblowers must not be victimised for raising a concern. Victimisation is a separate legal claim under the Equality Act.	

## 4. The Policy

### 4.1 Overview and Our Commitment

Byram House is committed to conducting its business with honesty and integrity. Within this, the organisation expects all colleagues to maintain high standards. We encourage open communication from all those who work for the home and aim to ensure all feel confident in raising concerns.

This policy is designed to give you the opportunity and protection to report suspected wrongdoing as soon as possible. It does not matter if you are mistaken about a concern you raise; you do not have to prove anything about the allegation you are making. However, you must **reasonably believe** that the disclosure is substantially true, the disclosure is not made for personal gain, and the information indicates some wrongdoing.

### 4.2 Purpose and Scope

It is imperative to the business that any fraud, misconduct, malpractice, safeguarding failures, or wrongdoing by employees of the Company is reported and appropriately dealt with. This policy encourages all individuals to raise any concerns they may have about the conduct of others in the business.

This policy applies to all staff members, agency workers, contractors, volunteers, and any other person working with Byram House. This policy does not apply to concerns that relate solely to a person's own employment circumstances (such as bullying of the individual or discrimination against them); those should be raised under the **Grievance Procedure**.

### 4.3 Responsibilities

**All employees and workers** have a responsibility to:

- Raise any genuine concerns about malpractice, wrongdoing, or dangers in the workplace.
- Raise concerns as soon as reasonably practicable.
- Co-operate with any investigation arising from a whistleblowing disclosure.
- Not victimise or retaliate against any individual who has raised a concern.

**The Responsible Individual (RI) and Directors** are responsible for:

- Ensuring this policy is implemented effectively.
- Receiving and investigating escalated concerns where the line manager cannot be approached.
- Ensuring that no individual suffers detriment for raising a genuine concern.

**All managers** are responsible for:

- Creating an open culture where staff feel safe to speak up.
- Responding appropriately to concerns raised with them.
- Maintaining confidentiality to the fullest extent reasonably practicable.

**You have protection under whistleblowing laws if you raise concerns by following the correct procedure outlined in this policy.**

#### 4.4 Wrongdoing and Malpractice Covered by this Policy

This policy should be used to report any suspected wrongdoing or where you believe any information or activity is deemed illegal, immoral, illicit, unsafe, fraudulent, or abusive. The Group takes its safeguarding obligations very seriously, whether relating to an individual's actions, culture, or practice.

A **qualifying disclosure** is one made in the public interest by an employee who has a reasonable belief that the following is being, has been, or is likely to be committed:

- A criminal offence.
- A failure to comply with any legal obligation.
- A miscarriage of justice.
- That the health or safety of any individual has been or is likely to be endangered.
- That the environment has been or is likely to be damaged.
- That information tending to show any matter falling within any of the preceding paragraphs has been or is likely to be deliberately concealed.

**From 6 April 2026**, disclosures about **sexual harassment** will explicitly qualify as protected whistleblowing disclosures under the Employment Rights Act 1996 (as amended by the Employment Rights Act 2025).

## 4.5 When to Use this Policy – Distinguishing from Grievances

There is a difference between whistleblowing and raising a grievance:

- **Whistleblowing** is where an individual has a concern about a danger or illegal practice that has a **public interest** aspect to it, for example because it threatens children in our care, other staff, or the public generally.
- A **grievance** is a complaint that generally relates to an individual's own employment position or personal circumstances at work.

If you have a complaint about your own personal circumstances (e.g., your own pay, working conditions, or treatment), you should use the **Grievance Policy and Procedure** instead.

## 4.6 Our Guarantee to Those Raising Concerns

We are dedicated to the principles set out in this policy. If you use this policy to raise a concern about the kinds of wrongdoing described above, we assure you that:

- We will treat your concern seriously and act according to this policy.
- We will make every effort to keep your identity confidential if you request this (see section 4.9).
- If it is necessary for anyone investigating your concern to know your identity, we will discuss this with you first.
- You will not suffer any detriment, victimisation, or retaliation for raising a genuine concern, even if the concern turns out to be mistaken.

We recognise that, in some circumstances, you may wish to discuss concerns on an informal basis in the first instance. If you choose to raise concerns informally, you acknowledge that we may not follow the formal procedure set out in section 4.7. However, those who raise concerns informally are still protected in accordance with this policy and the Employment Rights Act 1996.

## 4.7 Procedure for Raising a Concern Formally

If you would like your concerns to be addressed formally, you should raise the issue as follows:

Step	Action
<b>Step 1</b>	Raise the concern with your line manager (if appropriate).
<b>Step 2</b>	If you feel you cannot tell your line manager (for whatever reason), raise the issue with the <b>Responsible Individual</b> .
<b>Step 3</b>	If you have raised concerns to either of the above and are still concerned, or you feel you cannot discuss it with them for any reason, raise the matter with a <b>Director</b> of IMS Care LTD.

A concern can be raised by telephone, in person, or in writing. It is preferable if it is made in writing as this provides more information to allow us to deal with the concern as soon as possible. Please use the **Whistleblowing Report Form** in Appendix 1 for this purpose.

If you choose to raise a concern by telephone or in person, you must state that you would like the matter to be treated as a formal concern under this Whistleblowing Policy. If you do not make this clear, we may choose to address the concern informally.

Although you are not expected to prove the truth of your concern beyond doubt or provide evidence, you will generally need to provide the following information as a minimum:

- The nature of the concern and why you believe it to be true.
- The background and history of the concern (giving relevant dates where possible).

**Anonymous reporting:** You may raise a concern anonymously. However, anonymous concerns are more difficult to investigate and may be given less weight. We will consider them at our discretion, taking into account factors such as the seriousness of the issue, the credibility of the concern, and the likelihood of confirming the allegation from other sources.

**External whistleblowing partner – SafeCall:** You may also report concerns anonymously or by telephone via **SafeCall**, our external whistleblowing partner. You can reach their website at [www.safecall.co.uk/report](http://www.safecall.co.uk/report) or by telephone on **0800 915 1571**.

## 4.8 Responding to Concerns Raised Formally

We are committed to ensuring that all concerns will be dealt with appropriately, consistently, fairly, and professionally.

Step	Action	Timescale
<b>Acknowledgement</b>	We will acknowledge receipt of the concern in writing (where the whistleblower has provided their identity).	Within 2 working days of receipt.
<b>Meeting</b>	We will arrange a meeting as soon as reasonably practicable to discuss the concern raised. You may bring a colleague or trade union representative to formal	Within 5 working days of receipt (where possible).

	meetings. The accompanying person must respect confidentiality.	
<b>Investigation</b>	We will decide how to respond, usually involving internal enquiries. This may develop into a formal investigation. We will keep you informed of progress.	Ongoing, with updates at least every 14 days.
<b>Outcome</b>	We will provide an indication of timings for any actions or next steps. We will not be able to inform you of matters that would infringe any duty of confidentiality owed to others.	As soon as reasonably practicable after completion of the investigation.

The **Employment Rights Act 2025** introduces a new duty for employers to take **reasonable steps to investigate** protected disclosures. Byram House will comply fully with this duty.

## 4.9 Confidentiality

All concerns raised will, so far as reasonably practicable, be treated in confidence. Every effort will be made not to reveal your identity if requested.

### **Important limitations on confidentiality:**

- If disciplinary or other proceedings follow the investigation, it may not be possible to take action as a result of a disclosure without your support and disclosing your identity. You may be asked to come forward as a witness.
- If you agree to this, you will be offered advice and support throughout the process.
- If there is a legal obligation to disclose information (e.g., to the police in a safeguarding or criminal investigation), confidentiality cannot be guaranteed.

**Anonymous concerns** will be considered at our discretion, taking into account factors such as the seriousness of the issue raised, the credibility of the concern, and the likelihood of confirming the allegation from other sources.

#### 4.10 Raising Concerns Externally (Including Prescribed Persons)

The main purpose of this policy is to give you the opportunity and protection to raise concerns internally. We expect that in the majority of cases the internal process will be the most appropriate course of action.

However, the law recognises that it may be appropriate for you to raise the matter with a **prescribed person** (such as a regulator or professional body) if:

- You reasonably believe the information and any allegations are substantially true.
- You believe the matter falls within the remit of that prescribed person.
- It is reasonable in all the circumstances to make the disclosure externally.

#### **Prescribed persons relevant to Byram House include:**

Prescribed Person	Relevant Matters
<b>Ofsted</b>	Concerns about children’s social care services, registered children’s homes, or safeguarding arrangements. Ofsted has published a revised policy and guidance for whistleblowers: <i>Whistleblowing to Ofsted about children’s social care services</i> .
<b>Department for Education (DfE)</b>	Concerns about serious failures in children’s homes, education, or children’s social care.
<b>Health and Safety Executive (HSE)</b>	Concerns about health and safety dangers to children or staff.

<b>HM Revenue &amp; Customs (HMRC)</b>	Concerns about tax evasion or fraud.
<b>Police</b>	Where a criminal offence has been committed (immediate danger: call 999).
<b>Local Authority Designated Officer (LADO)</b>	Allegations against staff that may constitute safeguarding concerns.

A list of prescribed persons is available at:

<https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies>

**We strongly encourage you to seek appropriate advice before reporting a concern to anyone external.** You may contact **SafeCall** or **Public Concern at Work (Protect)** for independent advice.

It will very rarely, if ever, be appropriate to alert the media. Media organisations have their own commercial interests and are not the appropriate bodies for resolving regulatory concerns. Externally reported concerns should be directed to prescribed persons only.

#### 4.11 Protection and Support for Those Raising Concerns

We are committed to good practice, high standards, and being supportive to colleagues who raise genuine concerns under this policy, even if they turn out to be mistaken.

##### **Protection:**

- Any individual raising a genuine concern **must not suffer any detriment** (including dismissal, disciplinary action, demotion, denial of promotion, or any other form of victimisation) as a result of doing so.

- If you believe you have suffered detriment for raising a concern, you should raise it formally using the **Grievance Procedure** or, where necessary, make a claim to an employment tribunal.
- You must not threaten or retaliate against an individual who has raised a concern. Any person involved in such conduct may be subject to disciplinary action, including dismissal.

**Exceptions:**

- Those who raise a concern **frivolously, maliciously, and/or for personal gain**, and/or make an allegation they do not reasonably believe to be true, and/or not made in the public interest, may be liable to disciplinary action.

**Support:**

- You may bring a colleague or trade union representative to any formal meeting arising from your disclosure.
- You may contact **SafeCall** for independent support and advice.
- For concerns specific to children’s social care, Ofsted will provide guidance on what to expect when making a disclosure.

## 5. How the Home Trains its Staff About this Policy

Byram House provides structured training to ensure all staff understand and can implement this Whistleblowing Policy effectively.

Training Element	Frequency	Method / Content
<b>Induction</b>	Upon appointment	Face-to-face training covering: definition of whistleblowing; legal protections (PIDA, Employment Rights Act 1996/2025); difference between whistleblowing and grievances; categories of qualifying disclosure; how to raise a concern; safe reporting pathways (including

		SafeCall); confidentiality; protection from detriment; and the dual-site operation (62 & 66 Deighton Road).
<b>Annual refresher</b>	Every 12 months	Classroom or virtual session covering updates to legislation (including the Employment Rights Act 2025 and sexual harassment as a protected disclosure from 6 April 2026); changes to the prescribed persons list; Ofsted's whistleblowing policy updates; case studies.
<b>Sexual harassment disclosure training</b>	April 2026 (and annually thereafter)	Specific training on the new protected category of sexual harassment, including what constitutes a qualifying disclosure, how to handle such reports, and the employer's duty to investigate.
<b>Manager training</b>	At appointment and biennially	Extended training for managers and designated personnel on receiving concerns, conducting investigations, maintaining confidentiality, and complying with the duty to investigate under the Employment Rights Act 2025.
<b>External reporting pathways</b>	Annually	Training on prescribed persons (Ofsted, DfE, HMRC, etc.), how to support staff to report externally if needed, and avoiding victimisation.
<b>Record keeping</b>	Ongoing	All training recorded on staff personnel files; managers monitor compliance.

**Staff are required to:**

- Read and sign this policy annually.
- Complete all mandatory training sessions.
- Raise any genuine concerns promptly and in good faith.

- Never victimise or retaliate against a colleague who raises a concern.

## 6. Related Policies and Guidance

This policy must be read in conjunction with:

- Safeguarding Policy
- Grievance Policy and Procedure
- Disciplinary Policy and Procedure
- Complaints Policy
- Equality and Diversity Policy
- Data Protection Policy
- Code of Conduct
- Children’s Homes (England) Regulations 2015
- Working Together to Safeguard Children 2026
- Social Care Common Inspection Framework (SCCIF) for Children’s Homes 2026

## 7. Appendix 1 – Whistleblowing Report Form

Section	Information Required
<b>Your name (optional – anonymous reports accepted)</b>	

<b>Your role / position at Byram House</b>	
<b>Date of report</b>	
<b>Which service does your concern relate to?</b> (e.g., 62 Deighton Road, 66 Deighton Road, or other)	
<b>What type(s) of concern do you wish to report?</b> (tick as appropriate)	<input type="checkbox"/> A criminal offence <input type="checkbox"/> A miscarriage of justice <input type="checkbox"/> Danger to the health and safety of any individual <input type="checkbox"/> Damage to the environment <input type="checkbox"/> Breach of any legal or professional obligation <input type="checkbox"/> Deliberate concealment of any of the above <input type="checkbox"/> Sexual harassment (protected from 6 April 2026) <input type="checkbox"/> Other (please specify)
<b>Where has the concern occurred?</b>	
<b>When did the concern occur?</b> (please give date(s))	
<b>Do you have direct knowledge of the matter being reported?</b> If no, how did you become aware of it?	
<b>Do you know if anyone else is aware of the matter being reported?</b> If yes, please identify them and detail how they became aware.	

<b>Does the matter being reported affect you or your work?</b> If yes, please describe how.	
<b>Please provide a full description of the concern</b> (including relevant dates, names, locations, and any supporting evidence)	



Byram House

<b>Policy Name</b>	Whistleblowing Policy	
<b>Home</b>	Byram House	
<b>Reviewed by</b>	Danyaal Iqbal / Mustafa Amin	Deputy Manager / Registered Manager
<b>Approved by</b>	Stacey Wagstaffe	Responsible Individual
<b>Date</b>	May 2026	