

Whistleblowing Policy

Positive Smiles C.I.C.

Document control

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1.8	Annual review, Positive Smiles rebrand and realignment to adult services	01/08/2026	31/07/2027	Shabir Siddiq

INTRODUCTION

This Whistleblowing Policy encourages and enables individuals to make a “protected disclosure” to raise serious concerns with Positive Smiles in the public interest, in line with the Public Interest Disclosure Act 1998. We are committed to the highest standards of openness, honesty, integrity and accountability, so we expect people who have serious concerns about any aspect of Positive Smiles’ work to come forward and voice them.

The purpose of this policy is to provide the approved way for concerns to be raised. An individual must reasonably believe that the disclosure tends to show past, present or likely future wrongdoing falling into one or more of the following categories:

- Criminal offences (this may include, for example, types of financial impropriety such as fraud).
- Failure to comply with an obligation set out in law.
- Miscarriages of justice.
- Endangering of someone’s health and safety.
- Damage to the environment.
- A serious safeguarding concern about an adult, including any involvement in radicalisation or extremist activity.
- Covering up wrongdoing in the above categories.

It is not an alternative to Positive Smiles’ Grievance Procedure, which is the way an employee may raise a private concern about an employment matter.

SCOPE

Any serious concern about any aspect of Positive Smiles’ services, or the conduct of anyone working for or on behalf of Positive Smiles, can be reported under this policy.

There are existing separate procedures in place to enable employees to lodge a grievance relating to their own employment including issues relating to bullying, harassment and discrimination. There is also a Complaints Policy for dealing with complaints. This procedure is intended to cover concerns that fall outside the scope of other procedures.

POLICY STATEMENT

Positive Smiles welcomes the communication of genuine concerns and is committed to dealing with them responsibly, promptly, openly and professionally.

Any employee found to be subjecting a genuine whistle-blower to any form of victimisation, discrimination, bullying or harassment will be dealt with under Positive Smiles’

Disciplinary Procedure. Whistle-blowers will not suffer any form of detriment as a result of raising their concerns.

However, if it is clear that an employee acting as a whistle-blower has made a malicious allegation, Positive Smiles' Disciplinary Procedure will be used.

This policy will not discriminate either directly or indirectly against any individual on grounds of sex, race, ethnicity or national origin, sexual orientation, marital status, religion or belief, age, trade union membership, disability, socioeconomic status, offending background or any other personal characteristic.

PROCEDURE

HOW TO RAISE A CONCERN

As a first step, staff should normally raise concerns with their line manager. This depends, however, on the seriousness and sensitivity of the issues and who is suspected of the wrongdoing. For example, if a member of staff believes that their line manager is involved, or they cannot go to their line manager, they should approach a Director. If the concern is about a Director, they should approach another Director of Positive Smiles. Concerns may be raised verbally or in writing.

Staff who wish to make a written report should include: (a) the background and history of the concern (giving relevant dates); and (b) the reason why they are particularly concerned about the situation. The earlier a member of staff expresses the concern the easier it is to act. Although they are not expected to prove beyond doubt the truth of an allegation, they will need to demonstrate to the person contacted that there are reasonable grounds for their concern. Staff may obtain advice/guidance on how to pursue matters of concern by contacting a Director. If ultimately a member of staff feels that they have to take the matter externally, possible contacts are listed at the end of this policy.

To ensure that there is no confusion about the nature of the concern being raised, it is important to refer to this policy in all correspondence. If there is a more suitable policy to deal with the nature of the concern, the whistle-blower will be advised accordingly.

It is recognised that there may be matters that cannot be dealt with internally and whereby external authorities will need to become involved. Where this is necessary, Positive Smiles reserves the right to make this referral themselves without the whistle-blower's consent. The Police will be informed in all instances where a criminal offence may have occurred.

If told not to raise or pursue a concern, individuals should not agree to remain silent. They should report the matter to a Director. An instruction to cover up wrongdoing is itself a disciplinary offence.

To raise a whistleblowing concern, a detailed letter should be sent to the line manager. Where the concern relates to the line manager, it should be sent to a Director.

Once a concern has been formally raised, Positive Smiles will start an investigation and will contact the whistle-blower to acknowledge the concern and explain the action it intends to take.

While the purpose of the policy is to enable Positive Smiles to investigate possible malpractice and take appropriate steps to deal with it, it may not be possible to give the person raising the concern details of the action that will be taken where this may infringe a duty of confidentiality that is owed to someone else.

An investigation will be carried out by a suitable Positive Smiles representative. If the concern has safeguarding implications, Positive Smiles will discuss the details with the Designated Safeguarding Lead (DSL), Shabir Siddiq, or the Deputy DSL, Moosa Chohan, before any internal investigation. Where required, the DSL will refer the matter to adult social care and, where appropriate, the DBS (see the Safeguarding Adults Policy).

People outside Positive Smiles should follow the same procedure. They are advised to raise concerns separately and not to discuss the issue, to avoid any conflict of interest or risk of jeopardising an investigation.

All concerns raised under this policy will be treated as confidential and in a timely and sensitive manner. The identity of the individual raising the concern or making the disclosure will be kept confidential so long as this does not hinder any investigation. Concerns or disclosures expressed anonymously are less credible but will nevertheless be considered.

All individuals have a duty of confidentiality to Positive Smiles.

HOW THE MATTER CAN BE TAKEN FURTHER

This policy is intended to provide staff with an avenue within Positive Smiles to raise concerns. Positive Smiles hopes that staff will be satisfied with any action taken. If they are not, and if they feel it is right to take the matter outside the organisation, the following are possible contact points:

- (a) Protect (formerly Public Concern at Work) (tel: 020 3117 2520), a registered charity whose advice is free and strictly confidential;
- (b) ACAS
- (c) the local Citizens Advice;
- (d) relevant professional bodies or regulatory organisations;
- (e) a relevant voluntary organisation; and
- (f) the police.

If a member of staff does take the matter outside the organisation, they should ensure that they do not disclose confidential information. They should check with the contact point they have approached.

Signed by the Director



01/08/2026